

# Housing Authority of the City of Texas City, TX.

## PHA Plans

5 Year Plan for Fiscal Years 2000 - 2004  
Annual Plan for Fiscal Year 2000

**NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN ACCORDANCE  
WITH INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES**

**PHA Plan  
Agency Identification**

**PHA Name: Housing Authority of the City of Texas City, TX**

**PHA Number: TX032**

**PHA Fiscal Year Beginning: (mm/yyyy) 01/2000**

**Public Access to Information**

**Information regarding any activities outlined in this plan can be obtained by contacting:  
(select all that apply)**

- ☒ Main administrative office of the PHA
- ☐ PHA development management offices
- ☐ PHA local offices

**Display Locations For PHA Plans and Supporting Documents**

The PHA Plans (including attachments) are available for public inspection at: (select all that apply)

- ☒ Main administrative office of the PHA
- ☐ PHA development management offices
- ☐ PHA local offices
- ☐ Main administrative office of the local government
- ☐ Main administrative office of the County government
- ☐ Main administrative office of the State government
- ☐ Public library
- ☐ PHA website
- ☐ Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- ☒ Main business office of the PHA
- ☐ PHA development management offices
- ☐ Other (list below)

**5-YEAR PLAN**  
**PHA FISCAL YEARS 2000 - 2004**  
[24 CFR Part 903.5]

**A. Mission**

State the PHA's mission for serving the needs of low-income, very low income, and extremely low-income families in the PHA's jurisdiction. (select one of the choices below)

- ☐ The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- ☒ The PHA's mission is: (state mission here) **The Housing Authority's mission is to serve the needs of low-income, very low-income and extremely low-income families in the PHA's jurisdiction and to (1) increase the availability of decent, safe, sanitary and affordable housing in its communities; (2) ensure equal opportunity in housing (3) promote self-sufficiency and asset development of families and individuals; and (4) improve community quality of life and economic viability. The Housing Authority will strive for improvement of the physical conditions of housing developments and will continually upgrade the management and operations of the public housing agency, while developing and enhancing a stronger, healthier and viable economic initiative-related to low-income housing assistance and while encouraging self-sufficiency and independence for its residents.**

**B. Goals**

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own, or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, **PHAS ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS.** (Quantifiable measures would include targets such as: numbers of families served or PHAS scores achieved.) PHAs should identify these measures in the spaces to the right of or below the stated objectives.

**HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.**

- ☒ PHA Goal: Expand the supply of assisted housing  
Objectives:
- ☒ Apply for additional rental vouchers: **Will respond to all appropriate NOFA's**
  - ☒ Reduce public housing vacancies: **Reduce 10% each year.**
  - ☐ Leverage private or other public funds to create additional housing opportunities:
  - ☐ Acquire or build units or developments
  - ☐ Other (list below)

- ☒ PHA Goal: Improve the quality of assisted housing  
Objectives:
- ☒ Improve public housing management: (PHAS score)  
**Achieve passing score by 12/31/00**
  - ☒ Improve voucher management: (SEMAP score)  
**Obtain high achiever status by 12/31/00.**
  - ☐ Increase customer satisfaction:
  - ☒ Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections) **Update energy audit by 3-31-00; complete outstanding items on the Recovery/MOA Plan by 3-31-00.**
  - ☒ Renovate or modernize public housing units: **80 units by 12/31/02.**
  - ☐ Demolish or dispose of obsolete public housing:
  - ☐ Provide replacement public housing:
  - ☐ Provide replacement vouchers:
  - ☒ Other: (list below) **Achieve 15% budget reserve level by 12/31/00.**

- ☒ PHA Goal: Increase assisted housing choices  
Objectives:
- ☒ Provide voucher mobility counseling: **On going.**
  - ☒ Conduct outreach efforts to potential voucher landlords **Recruit 10 new landlords by 12/31/00.**
  - ☐ Increase voucher payment standards
  - ☒ Implement voucher homeownership program: **Research feasibility by 12/31/00.**
  - ☐ Implement public housing or other homeownership programs:
  - ☐ Implement public housing site-based waiting lists:
  - ☐ Convert public housing to vouchers:
  - ☐ Other: (list below)

**HUD Strategic Goal: Improve community quality of life and economic vitality**

- ☒ PHA Goal: Provide an improved living environment  
Objectives:
- ☐ Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
  - ☐ Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
  - ☒ Implement public housing security improvements: **Locks, security fences, security screens by 12/31/02.**
  - ☐ Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
  - ☐ Other: (list below)

**HUD Strategic Goal: Promote self-sufficiency and asset development of families and individuals**

- ☒ PHA Goal: Promote self-sufficiency and asset development of assisted households
- Objectives:
- ☐ Increase the number and percentage of employed persons in assisted families:
  - ☐ Provide or attract supportive services to improve assistance recipients' employability:
  - ☐ Provide or attract supportive services to increase independence for the elderly or families with disabilities.
  - ☒ Other: (list below) **Implement Section 8 FSS Program by 12/31/00; provide self-sufficiency speakers program by 12/31/00.**

**HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans**

- ☐ PHA Goal: Ensure equal opportunity and affirmatively further fair housing
- Objectives:
- ☐ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
  - ☐ Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:
  - ☐ Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
  - ☐ Other: (list below)

**Other PHA Goals and Objectives: (list below)**

**PHA Goal: Improve Financial Management**

2. **Update Financial and Related Policies by 12/31/00.**
3. **Provide Training to Commissioners and Staff and Updated Policies.**

**PHA Goal: Improvement of PHMAP/PHAS Status to achieve a "Standard Performer" status (at minimum) under the PHMAP/PHAS system and Improve Scores on Financial Indicators.**

2. **Provide PHMAP/PHAS/QHWRA Training to Staff**
3. **Improve Cash Management**
4. **Ensure Compliance with Audit Requirements to include Timeliness and Accuracy**
5. **Aggressively pursue and enforce collection procedures to achieve a continued reduction in Tenant Account Receivable for all programs.**
6. **Improve Cash Reserve Position.**

**PHA GOAL: Improve Financial Management of Resources to ensure that financial resources are managed in a manner which generates a positive cash flow, provides for an accumulation of income over expenses, and provides an adequate reserve.**

**Utilize all program funds to the maximum extent possible to provide optimum service on behalf of the residents of low income housing and Section 8 participants.**

- 2. Provide commissioners, executive director and designated staff with financial, accounting and budget training.**
- 3. Provide a current financial report on a monthly basis to the board and discuss agency financial status.**
- 4. Executive Director to monitor all budgets according to income and expenses regularly, comparing actual to budgeted amounts.**
- 5. Improve method of administrative and internal record file maintenance.**
- 6. Conduct an Energy Audit.**

**PHA GOAL: Establish method of asset/inventory control.**

- 2. Conduct annual inventory.**
- 3. Establish Inventory/Asset Control System to control all Housing Authority property, equipment and assets.**
- 4. Balance Accounting Property Records with Actual Inventory.**
- 5. Strict Supervision and Compliance with internal Controls Policy.**

**PHA Goal: Improve computer processing/reporting.**

- 2. Upgrade and/or repair computer software to include controlled access and backup of data.**
- 3. Provide computer training to staff on all components.**
- 4. Utilize all PHA program components.**
- 5. Provide strict supervision and compliance with internal controls policy.**
- 6. Generate up-to-date reports.**
- 7. Maintain adequate file data.**

**PHA GOAL: Update job descriptions and organizational structure.**

- 2. Obtain outside assistance for reviewing structure of the organization and updating organizational chart.**
- 3. Obtain outside assistance for updating job descriptions.**

**PHA GOAL: Improve Procurement/Contract Management.**

- 2. Implement a Purchase Order System.**
- 3. Provide Procurement, Contract and File Management Training.**
- 4. Ensure implementation and continuing compliance of revised procurement policy**
- 5. Maximize funds by controlling costs through competition.**

### **Annual PHA Plan**

## PHA Fiscal Year 2000

[24 CFR Part 903.7]

### **i. Annual Plan Type:**

Select which type of Annual Plan the PHA will submit.

☐ **Standard Plan**

#### **Streamlined Plan:**

- ☐ **High Performing PHA**
- ☐ **Small Agency (<250 Public Housing Units)**
- ☐ **Administering Section 8 Only**

☒ **Troubled Agency Plan**

### **ii. Executive Summary of the Annual PHA Plan**

[24 CFR Part 903.7 9 (r)]

Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in the Annual Plan.

The Housing Authority of the City of Texas City, TX has prepared this Annual PHA Plan in compliance with Section 511 of the Quality Housing and Work Responsibility Act of 1998 and the ensuing HUD requirements.

The purpose of the Annual Plan is to provide a framework for local accountability and an easily identifiable source by which public housing residents, participants in the tenant-based assistance program and other members of the public may locate basic PHA policies, rules and requirements related to the operations, programs and services of the agency.

The Mission Statement and the Goals and Objectives were based on information contained in our jurisdiction's Consolidated Plan and will assure that our residents will receive the best customer service.

Excellent customer service and fulfillment of the Mission Statement and Goals and Objectives is ensured by implementation of a series of policies that are on display with this Plan. The Admissions and Occupancy Policy and Section 8 Administrative Plan are the two primary policies on display. These important documents cover the public housing tenant selection and assignment plan, outreach services, PHA's responsibility to Section 8 owners/landlords, grievance procedures, etc.

The most important challenges to be met by the Housing Authority of the City of Texas City, TX during FY 2000 include:

- **Reduce drug and alcohol abuse through the Public Housing Drug Elimination Program;**

- Preserve and improve the public housing stock through the Capital Funds activities, including modernization of several units;
- Involve the public housing residents and the Section 8 participants through the Annual Plan Resident Advisory Board.
- Train staff and commissioners to fully understand and take advantage of opportunities in the new law and regulations to better serve our residents and the community; and
- Identify, develop and leverage services to enable low-income families to become self-sufficient.
- Obtain passing PHAS score.

In closing, this Annual PHA Plan exemplifies the commitment of the Housing Authority of the City of Texas City, TX to meet the housing needs of the full range of low-income residents. The Housing Authority, in partnership with agencies from all levels of government, the business community, non-profit community groups, and residents will use this plan as a road map to reach the “higher quality of life” destination.

### **iii. Annual Plan Table of Contents**

[24 CFR Part 903.7 9 (r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

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### Attachments

Indicate which attachments are provided by selecting all that apply. Provide the attachment's name (A, B, etc.) in the space to the left of the name of the attachment. Note: If the attachment is provided as a **SEPARATE** file submission from the PHA Plans file, provide the file name in parentheses in the space to the right of the title.

#### Required Attachments:

- ☒ Admissions Policy for Deconcentration (**TX032a01**)
- ☒ FY 2000 Capital Fund Program Annual Statement (**TX032b01**)
- ☒ Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY) (**TX032c01**)

#### Optional Attachments:

- ☐ PHA Management Organizational Chart
- ☒ FY 2000 Capital Fund Program 5 Year Action Plan (**TX032d01**)
- ☒ Public Housing Drug Elimination Program (PHDEP) Plan (**TX032e01**)
- ☐ Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
- ☒ Other (List below, providing each attachment name)  
Substantial Deviation and Significant Amendment or Modification (**TX032f01**)

### Supporting Documents Available for Review

Indicate which documents are available for public review by placing a mark in the "Applicable & On Display" column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI))) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Applicable Plan Component</b>
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
X	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Applicable Plan Component</b>
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
X	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
X	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

## **1. Statement of Housing Needs**

[24 CFR Part 903.7 9 (a)]

### **A. Housing Needs of Families in the Jurisdiction/s Served by the PHA**

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the "Overall" Needs column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being "no impact" and 5 being "severe impact." Use N/A to indicate that no information is available upon which the PHA can make this assessment.

<b>Housing Needs of Families in the Jurisdiction by Family Type</b>							
Family Type	Overall	Afford- ability	Supply	Quality	Access- ibility	Size	Loca- tion
Income <= 30% of AMI	1600	3	3	3	4	2	3
Income >30% but <=50% of AMI	1400	3	3	3	4	2	3
Income >50% but <80% of AMI	400	3	3	3	4	2	3
Elderly	1500	3	4	4	4	4	4
Families with Disabilities	107	3	3	3	4	2	3
Caucasian	871	3	3	3	4	2	3
African American	2529	3	3	3	4	2	3
Hispanic	2819	3	3	3	4	2	3
Race/Ethnicity							

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- ☒ Consolidated Plan of the Jurisdiction/s  
Indicate year:
- ☒ U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset
- ☐ American Housing Survey data  
Indicate year:
- ☐ Other housing market study  
Indicate year:
- ☐ Other sources: (list and indicate year of information)

## **B. Housing Needs of Families on the Public Housing and Section 8 Tenant-Based Assistance Waiting Lists**

State the housing needs of the families on the PHA's waiting list/s. **Complete one table for each type of PHA-wide waiting list administered by the PHA.** PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/> Section 8 tenant-based assistance <input checked="" type="checkbox"/> Public Housing <input type="checkbox"/> Combined Section 8 and Public Housing <input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional) If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	177		19
Extremely low income <=30% AMI	170	96	
Very low income (>30% but <=50% AMI)	7	4	
Low income (>50% but <80% AMI)	0	0	
Families with children	146	82	
Elderly families	5	3	
Families with Disabilities	22	12	
Caucasian	60	34	
African American	117	66	
American Indian Alaskan Native	0	0	
Asian Pacific Islander	0	0	
Hispanic	35	20	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	58	33	2
2 BR	60	34	8
3 BR	51	29	7
4 BR	8	5	2
5 BR	0	0	0

Housing Needs of Families on the Waiting List			
5+ BR	0	0	0
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? 12			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	115		51
Extremely low income <=30% AMI	107	93	
Very low income (>30% but <=50% AMI)	8	7	
Low income (>50% but <80% AMI)	0	0	
Families with children	97	84	
Elderly families	18	15	
Families with Disabilities	12	10	
Caucasian	38	34	
African American	77	66	
Hispanic	21	18	
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	18	156	8
2 BR	72	62	32

Housing Needs of Families on the Waiting List			
3 BR	24	21	10
4 BR	2	1	1
5 BR	0	0	0
5+ BR	0	0	0
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If yes: How long has it been closed (# of months)? 17 Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

### C. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

#### (1) Strategies

Need: Shortage of affordable housing for all eligible populations

#### Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- ☒ Employ effective maintenance and management policies to minimize the number of public housing units off-line
- ☒ Reduce turnover time for vacated public housing units
- ☐ Reduce time to renovate public housing units
- ☐ Seek replacement of public housing units lost to the inventory through mixed finance development
- ☐ Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- ☒ Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- ☐ Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- ☒ Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- ☒ Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- ☒ Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- ☐ Other (list below)

#### Strategy 2: Increase the number of affordable housing units by:

Select all that apply

- ☒ Apply for additional section 8 units should they become available
- ☐ Leverage affordable housing resources in the community through the creation of mixed - finance housing
- ☐ Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- ☐ Other: (list below)

**Need: Specific Family Types: Families at or below 30% of median**

**Strategy 1: Target available assistance to families at or below 30 % of AMI**

Select all that apply

- ☐ Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- ☐ Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- ☐ Employ admissions preferences aimed at families with economic hardships
- ☒ Adopt rent policies to support and encourage work
- ☐ Other: (list below)

**Need: Specific Family Types: Families at or below 50% of median**

**Strategy 1: Target available assistance to families at or below 50% of AMI**

Select all that apply

- ☒ Employ admissions preferences aimed at families who are working
- ☒ Adopt rent policies to support and encourage work
- ☐ Other: (list below)

**Need: Specific Family Types: The Elderly**

**Strategy 1: Target available assistance to the elderly:**

Select all that apply

- ☐ Seek designation of public housing for the elderly
- ☒ Apply for special-purpose vouchers targeted to the elderly, should they become available
- ☐ Other: (list below)

**Need: Specific Family Types: Families with Disabilities**

**Strategy 1: Target available assistance to Families with Disabilities:**

Select all that apply



- ☐ Seek designation of public housing for families with disabilities
- ☐ Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- ☒ Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- ☐ Affirmatively market to local non-profit agencies that assist families with disabilities
- ☐ Other: (list below)

**Need: Specific Family Types: Races or ethnicities with disproportionate housing needs**

**Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:**

Select if applicable

- ☐ Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- ☐ Other: (list below)

**Strategy 2: Conduct activities to affirmatively further fair housing**

Select all that apply

- ☒ Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- ☒ Market the section 8 program to owners outside of areas of poverty /minority concentrations
- ☐ Other: (list below)

**Other Housing Needs & Strategies: (list needs and strategies below)**

**(2) Reasons for Selecting Strategies**

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- ☒ Funding constraints
- ☒ Staffing constraints
- ☒ Limited availability of sites for assisted housing
- ☒ Extent to which particular housing needs are met by other organizations in the community
- ☒ Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- ☒ Influence of the housing market on PHA programs
- ☒ Community priorities regarding housing assistance
- ☒ Results of consultation with local or state government
- ☒ Results of consultation with residents and the Resident Advisory Board
- ☐ Results of consultation with advocacy groups
- ☐ Other: (list below)

**2. Statement of Financial Resources**

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants (FY 2000 grants)</b>		
a) Public Housing Operating Fund	188,702.00	PH Operations
b) Public Housing Capital Fund	253,137.00	PH Operations
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	1,189,301.00	PH Operations
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	29,799.00	PH Operations
g) Resident Opportunity and Self-Sufficiency Grants		
h) Community Development Block Grant		
i) HOME		
Other Federal Grants (list below)		
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>		
<b>Subtotal</b>	<b>1,660,939.00</b>	
<b>3. Public Housing Dwelling Rental Income</b>	129,710.00	Public housing operations
<b>4. Other income (list below)</b>	1000.00	PH Operations
Interest on General Funds investments.	0	Public housing operations
Other income: legal fees, Maintenance charges to tenants, late fees, NSF check charges, etc.		Public housing operations

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>4. Non-federal sources</b> (list below)		
<b>Subtotal</b>	<b>130,710.00</b>	
<b>Total resources</b>	<b>1,791,649.00</b>	

### **3. PHA Policies Governing Eligibility, Selection, and Admissions**

[24 CFR Part 903.7 9 (c)]

#### **A. Public Housing**

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

##### **(1) Eligibility**

a. When does the PHA verify eligibility for admission to public housing? (select all that apply)

- ☐ When families are within a certain number of being offered a unit: (state number)
- ☒ When families are within a certain time of being offered a unit: (state time) **1 month**
- ☐ Other: (describe)

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

- ☒ Criminal or Drug-related activity
- ☐ Rental history
- ☐ Housekeeping
- ☐ Other (describe)

c. ☒ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

d. ☐ Yes ☒ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

e. ☐ Yes ☒ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

##### **(2)Waiting List Organization**

a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)

- ☒ Community-wide list

- ☐ Sub-jurisdictional lists
- ☐ Site-based waiting lists
- ☐ Other (describe)

b. Where may interested persons apply for admission to public housing?

- ☒ PHA main administrative office
- ☐ PHA development site management office
- ☐ Other (list below)

c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment N/A**

1. How many site-based waiting lists will the PHA operate in the coming year?

2. ☐ Yes ☐ No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?  
If yes, how many lists?

3. ☐ Yes ☐ No: May families be on more than one list simultaneously?  
If yes, how many lists?

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- ☐ PHA main administrative office
- ☐ All PHA development management offices
- ☐ Management offices at developments with site-based waiting lists
- ☐ At the development to which they would like to apply
- ☐ Other (list below)

### **(3) Assignment**

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)

- ☒ One
- ☐ Two
- ☐ Three or More

b. ☒ Yes ☐ No: Is this policy consistent across all waiting list types?

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

### **(4) Admissions Preferences**

a. Income targeting:

- ☐ Yes ☒ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:

In what circumstances will transfers take precedence over new admissions? (list below)

- ☒ Emergencies
- ☒ Overhoused
- ☒ Underhoused
- ☒ Medical justification
- ☒ Administrative reasons determined by the PHA (e.g., to permit modernization work)
- ☐ Resident choice: (state circumstances below)
- ☒ Other: (list below) **To prevent bodily harm**

c. Preferences

1. ☒ Yes ☐ No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If “no” is selected, skip to subsection **(5) Occupancy**)
2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

- ☒ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- ☒ Victims of domestic violence
- ☒ Substandard housing
- ☒ Homelessness
- ☒ High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

- ☒ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in the jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☐ Other preference(s) (list below)

3. If the PHA will employ admissions preferences, please prioritize by placing a “1” in the space that represents your first priority, a “2” in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or

through a point system), place the same number next to each. That means you can use “1” more than once, “2” more than once, etc.

### 3 Date and Time

Former Federal preferences:

- 1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 2 Victims of domestic violence
- 2 Substandard housing
- 2 Homelessness
- 2 High rent burden

Other preferences (select all that apply)

- ☒ 1 Working families and those unable to work because of age or disability
- ☐ Veterans and veterans’ families
- ☐ Residents who live and/or work in the jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☐ Other preference(s) (list below)

#### 4. Relationship of preferences to income targeting requirements:

- ☐ The PHA applies preferences within income tiers
- ☒ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

### **(5) Occupancy**

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- ☒ The PHA-resident lease
- ☒ The PHA’s Admissions and (Continued) Occupancy policy
- ☒ PHA briefing seminars or written materials
- ☐ Other source (list)

b. How often must residents notify the PHA of changes in family composition? (select all that apply)

- ☐ At an annual reexamination and lease renewal
- ☒ Any time family composition changes
- ☐ At family request for revision
- ☐ Other (list)

### **(6) Deconcentration and Income Mixing** N/A per PIH Notice 99-51

- a. ☐ Yes ☐ No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?
- b. ☐ Yes ☐ No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?
- c. If the answer to b was yes, what changes were adopted? (select all that apply)
- ☐ Adoption of site-based waiting lists  
If selected, list targeted developments below:
- ☐ Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments  
If selected, list targeted developments below:
- ☐ Employing new admission preferences at targeted developments  
If selected, list targeted developments below:
- ☐ Other (list policies and developments targeted below)
- d. ☐ Yes ☐ No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?
- e. If the answer to d was yes, how would you describe these changes? (select all that apply)
- ☐ Additional affirmative marketing
- ☐ Actions to improve the marketability of certain developments
- ☐ Adoption or adjustment of ceiling rents for certain developments
- ☐ Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- ☐ Other (list below)
- f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)
- ☐ Not applicable: results of analysis did not indicate a need for such efforts
- ☐ List (any applicable) developments below:
- g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)
- ☐ Not applicable: results of analysis did not indicate a need for such efforts
- ☐ List (any applicable) developments below:

## B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B.

Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

### **(1) Eligibility**

- a. What is the extent of screening conducted by the PHA? (select all that apply)
- ☒ Criminal or drug-related activity only to the extent required by law or regulation
  - ☐ Criminal and drug-related activity, more extensively than required by law or regulation
  - ☐ More general screening than criminal and drug-related activity (list factors below)
  - ☐ Other (list below)
- b. ☒ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- c. ☐ Yes ☒ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- d. ☐ Yes ☒ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- ☐ Criminal or drug-related activity
  - ☒ Other (describe below) **Current and previous landlord information.**

### **(2) Waiting List Organization**

- a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
- ☒ None
  - ☐ Federal public housing
  - ☐ Federal moderate rehabilitation
  - ☐ Federal project-based certificate program
  - ☐ Other federal or local program (list below)
- b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
- ☒ PHA main administrative office
  - ☐ Other (list below)

### **(3) Search Time**



- a. ☒ Yes ☐ No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below:

- **Illness**
- **Proof of search**
- **Portability**

#### **(4) Admissions Preferences**

- a. Income targeting

- ☒ Yes ☐ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?

- b. Preferences

1. ☐ Yes ☒ No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

- ☐ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- ☒ Victims of domestic violence
- ☐ Substandard housing
- ☐ Homelessness
- ☐ High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- ☒ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in your jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☒ Other preference(s) (list below) **Age 62 and older.**

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and

so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use “1” more than once, “2” more than once, etc.

2 Date and Time

Former Federal preferences

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 1 Victims of domestic violence  
Substandard housing  
Homelessness  
High rent burden

Other preferences (select all that apply)

- ☒ 1 Working families and those unable to work because of age or disability  
☐ Veterans and veterans’ families  
☐ Residents who live and/or work in your jurisdiction  
☐ Those enrolled currently in educational, training, or upward mobility programs  
☐ Households that contribute to meeting income goals (broad range of incomes)  
☐ Households that contribute to meeting income requirements (targeting)  
☐ Those previously enrolled in educational, training, or upward mobility programs  
☐ Victims of reprisals or hate crimes  
☒ 1 Other preference(s) (list below) **Age 62 and older.**

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)

- ☒ Date and time of application  
☐ Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for “residents who live and/or work in the jurisdiction” (select one) **N/A**

- ☐ This preference has previously been reviewed and approved by HUD  
☐ The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

- ☐ The PHA applies preferences within income tiers  
☒ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

**(5) Special Purpose Section 8 Assistance Programs**

- a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

- ☒ The Section 8 Administrative Plan  
☐ Briefing sessions and written materials  
☐ Other (list below)

- b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?

- ☒ Through published notices  
☐ Other (list below)

#### **4. PHA Rent Determination Policies**

[24 CFR Part 903.7 9 (d)]

##### **A. Public Housing**

Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A.

##### **(1) Income Based Rent Policies**

Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

- a. Use of discretionary policies: (select one)

- ☐ The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---or---

- ☒ The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

- b. Minimum Rent

1. What amount best reflects the PHA's minimum rent? (select one)

- ☐ \$0  
☒ \$1-\$25  
☐ \$26-\$50

2. ☐ Yes ☒ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below:

- c. Rents set at less than 30% than adjusted income

1. ☐ Yes ☒ No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply) **NONE**

☐ For the earned income of a previously unemployed household member

☐ For increases in earned income

☐ Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

☐ Fixed percentage (other than general rent-setting policy)

If yes, state percentage/s and circumstances below:

☐ For household heads

☐ For other family members

☐ For transportation expenses

☐ For the non-reimbursed medical expenses of non-disabled or non-elderly families

☐ Other (describe below)

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)

☐ Yes for all developments

☐ Yes but only for some developments

☒ No

2. For which kinds of developments are ceiling rents in place? (select all that apply)

**N/A**

☐ For all developments

☐ For all general occupancy developments (not elderly or disabled or elderly only)

☐ For specified general occupancy developments

☐ For certain parts of developments; e.g., the high-rise portion

☐ For certain size units; e.g., larger bedroom sizes

☐ Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

- ☐ Market comparability study
- ☐ Fair market rents (FMR)
- ☐ 95<sup>th</sup> percentile rents
- ☐ 75 percent of operating costs
- ☐ 100 percent of operating costs for general occupancy (family) developments
- ☐ Operating costs plus debt service
- ☐ The "rental value" of the unit
- ☐ Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)

- ☐ Never
- ☐ At family option
- ☒ Any time the family experiences an income increase
- ☐ Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)\_\_\_\_\_
- ☐ Other (list below)

g. ☐ Yes ☒ No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

**(2) Flat Rents**

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

- ☒ The section 8 rent reasonableness study of comparable housing
- ☒ Survey of rents listed in local newspaper
- ☒ Survey of similar unassisted units in the neighborhood
- ☐ Other (list/describe below)

**B. Section 8 Tenant-Based Assistance**

Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

### **(1) Payment Standards**

Describe the voucher payment standards and policies.

a. What is the PHA's payment standard? (select the category that best describes your standard)

- ☐ At or above 90% but below 100% of FMR
- ☐ 100% of FMR
- ☒ Above 100% but at or below 110% of FMR
- ☐ Above 110% of FMR (if HUD approved; describe circumstances below)

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

- ☐ FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
- ☐ The PHA has chosen to serve additional families by lowering the payment standard
- ☐ Reflects market or submarket
- ☐ Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- ☒ FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
- ☒ Reflects market or submarket
- ☒ To increase housing options for families
- ☐ Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

- ☐ Annually
- ☒ Other (list below)

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

- ☒ Success rates of assisted families
- ☒ Rent burdens of assisted families
- ☐ Other (list below)

### **(2) Minimum Rent**

a. What amount best reflects the PHA's minimum rent? (select one)

- ☐ \$0  
☒ \$1-\$25  
☐ \$26-\$50

b. ☐ Yes ☒ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

## **5. Operations and Management**

[24 CFR Part 903.7 9 (e)]

Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)

### **A. PHA Management Structure**

Describe the PHA's management structure and organization.

(select one)

- ☐ An organization chart showing the PHA's management structure and organization is attached.
- ☒ A brief description of the management structure and organization of the PHA follows:  
**The organizational chart shows 13 positions. Ten positions are currently filled. The structure is basically in three parts, Public Housing, Section 8, and remaining staff. The Public Housing Manager, Section 8 Coordinator, HQS Inspector and Fee Accountant report to the Executive director.**

### **B. HUD Programs Under PHA Management**

List Federal programs administered by the PHA, number of families served at the beginning of the upcoming fiscal year, and expected turnover in each. (Use "NA" to indicate that the PHA does not operate any of the programs listed below.)

<b>Program Name</b>	<b>Units or Families Served at Year Beginning</b>	<b>Expected Turnover</b>
Public Housing	118	19
Section 8 Vouchers	N/A	N/A
Section 8 Certificates	235	51
Section 8 Mod Rehab	N/A	N/A
Special Purpose Section 8 Certificates/Vouchers (list individually)	N/A	N/A
Public Housing Drug Elimination Program (PHDEP)	N/A	N/A

Other Federal Programs(list individually)	N/A	N/A

### **C. Management and Maintenance Policies**

List the PHA's public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

(1) Public Housing Maintenance and Management: (list below)

- **Work Order System**
- **Pest Eradication Policy**
- **Maintenance Plan**
- **Uniform Inspection System**
- **Admissions and Occupancy Policy**
- **Fair Housing Policy**
- **Grievance Procedures**
- **Tenant Selection and Assignment Plan**
- **Community Service Plan**
- **Handicapped Policy**
- **Termination and Eviction**
- **Transfer and Transfer Waiting List**
- **Resident Initiative**
- **Section 3 Plan**
- **Pet Policy for Families**
- **Pet Policy for Elderly**

(2) Section 8 Management: (list below)

- **Section 8 Administrative Plan**

### **6. PHA Grievance Procedures**

[24 CFR Part 903.7 9 (f)]



Exemptions from component 6: High performing PHAs are not required to complete component 6. Section 8-Only PHAs are exempt from sub-component 6A.

### **A. Public Housing**

1. ☐ Yes ☒ No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?

If yes, list additions to federal requirements below:

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)

- ☒ PHA main administrative office  
☐ PHA development management offices  
☐ Other (list below)

### **B. Section 8 Tenant-Based Assistance**

1. ☐ Yes ☒ No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below:

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)

- ☒ PHA main administrative office  
☐ Other (list below)

## **7. Capital Improvement Needs**

[24 CFR Part 903.7 9 (g)]

Exemptions from Component 7: Section 8 only PHAs are not required to complete this component and may skip to Component 8.

## A. Capital Fund Activities

Exemptions from sub-component 7A: PHAs that will not participate in the Capital Fund Program may skip to component 7B. All other PHAs must complete 7A as instructed.

### **(1) Capital Fund Program Annual Statement**

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual Statement tables provided in the table library at the end of the PHA Plan template **OR**, at the PHA's option, by completing and attaching a properly updated HUD-52837.

Select one:

☒ The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (state name) **TX032b01**

-or-

☐ The Capital Fund Program Annual Statement is provided below: (if selected, copy the CFP Annual Statement from the Table Library and insert here)

### **(2) Optional 5-Year Action Plan**

Agencies are encouraged to include a 5-Year Action Plan covering capital work items. This statement can be completed by using the 5 Year Action Plan table provided in the table library at the end of the PHA Plan template **OR** by completing and attaching a properly updated HUD-52834.

a. ☒ Yes ☐ No: Is the PHA providing an optional 5-Year Action Plan for the Capital Fund?  
(if no, skip to sub-component 7B)

b. If yes to question a, select one:

☒ The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan at Attachment (state name) **TX032d01**

-or-

☐ The Capital Fund Program 5-Year Action Plan is provided below: (if selected, copy the CFP optional 5 Year Action Plan from the Table Library and insert here)

## **B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund)**

Applicability of sub-component 7B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

- ☐ Yes ☒ No: a) Has the PHA received a HOPE VI revitalization grant? (if no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)
- b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

1. Development name:
2. Development (project) number:
3. Status of grant: (select the statement that best describes the current status)
  - ☐ Revitalization Plan under development
  - ☐ Revitalization Plan submitted, pending approval
  - ☐ Revitalization Plan approved
  - ☐ Activities pursuant to an approved Revitalization Plan underway

- ☐ Yes ☒ No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?
- If yes, list development name/s below:

- ☐ Yes ☒ No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?
- If yes, list developments or activities below:

- ☐ Yes ☒ No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?
- If yes, list developments or activities below:

## **8. Demolition and Disposition**

[24 CFR Part 903.7 9 (h)]

Applicability of component 8: Section 8 only PHAs are not required to complete this section.

1. ☐ Yes ☒ No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)

### **2. Activity Description**

- ☐ Yes ☐ No: Has the PHA provided the activities description information in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 9. If “No”, complete the Activity Description table below.)

<b>Demolition/Disposition Activity Description</b>	
1a. Development name:	
1b. Development (project) number:	
2. Activity type: Demolition <input type="checkbox"/> Disposition <input type="checkbox"/>	
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>	
4. Date application approved, submitted, or planned for submission: (DD/MM/YY)	
5. Number of units affected:	
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development	
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:	

## **9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities**

[24 CFR Part 903.7 9 (i)]

Exemptions from Component 9; Section 8 only PHAs are not required to complete this section.

1. ☐ Yes ☒ No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

### 2. Activity Description

- ☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below.

<b>Designation of Public Housing Activity Description</b>	
1a. Development name:	
1b. Development (project) number:	
2. Designation type:	Occupancy by only the elderly <input type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one)	Approved; included in the PHA’s Designation Plan <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission:	(DD/MM/YY)
5. If approved, will this designation constitute a (select one)	<input type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected:	
7. Coverage of action (select one)	<input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

## **10. Conversion of Public Housing to Tenant-Based Assistance**

[24 CFR Part 903.7 9 (j)]

Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.

### **A. Assessments of Reasonable Revitalization Pursuant to section 202 of the HUD FY 1996 HUD Appropriations Act**

1. ☐ Yes ☒ No: Have any of the PHA’s developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If “No”, skip to component 11; if “yes”, complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

#### **2. Activity Description**

- ☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 11. If “No”, complete the Activity Description table below.

<b>Conversion of Public Housing Activity Description</b>	
1a. Development name:	
1b. Development (project) number:	
2. What is the status of the required assessment?	<input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)	
4. Status of Conversion Plan (select the statement that best describes the current status)	<input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> Activities pursuant to HUD-approved Conversion Plan underway
5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one)	<input type="checkbox"/> Units addressed in a pending or approved demolition application (date submitted or approved: ) <input type="checkbox"/> Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: ) <input type="checkbox"/> Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: ) <input type="checkbox"/> Requirements no longer applicable: vacancy rates are less than 10 percent <input type="checkbox"/> Requirements no longer applicable: site now has less than 300 units <input type="checkbox"/> Other: (describe below)

**B. Reserved for Conversions pursuant to Section 22 of the U.S. Housing Act of 1937**

**C. Reserved for Conversions pursuant to Section 33 of the U.S. Housing Act of 1937**

**11. Homeownership Programs Administered by the PHA**

## A. Public Housing

Exemptions from Component 11A: Section 8 only PHAs are not required to complete 11A.

1. ☐ Yes ☒ No: Does the PHA administer any homeownership programs administered by the PHA under an approved section 5(h) homeownership program (42 U.S.C. 1437c(h)), or an approved HOPE I program (42 U.S.C. 1437aaa) or has the PHA applied or plan to apply to administer any homeownership programs under section 5(h), the HOPE I program, or section 32 of the U.S. Housing Act of 1937 (42 U.S.C. 1437z-4). (If “No”, skip to component 11B; if “yes”, complete one activity description for each applicable program/plan, unless eligible to complete a streamlined submission due to **small PHA** or **high performing PHA** status. PHAs completing streamlined submissions may skip to component 11B.)

2. Activity Description

- ☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 12. If “No”, complete the Activity Description table below.)

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: 1b. Development (project) number:
2. Federal Program authority: <input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one) <input type="checkbox"/> Approved; included in the PHA’s Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (DD/MM/YYYY)
5. Number of units affected: 6. Coverage of action: (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

## B. Section 8 Tenant Based Assistance

1. ☒ Yes ☐ No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If “No”, skip to component 12; if “yes”, describe each program using the table below (copy and complete questions for each program identified), unless the PHA is eligible to complete a streamlined submission due to high performer status. **High performing PHAs may skip to component 12.) Pending Feasibility study after Publication of Final Rule and Revisions of HUD demonstration program.**

2. Program Description:

a. Size of Program

- ☐ Yes ☐ No: Will the PHA limit the number of families participating in the section 8 homeownership option?

If the answer to the question above was yes, which statement best describes the number of participants? (select one)

- ☐ 25 or fewer participants  
☐ 26 - 50 participants  
☐ 51 to 100 participants  
☐ more than 100 participants

b. PHA-established eligibility criteria

- ☐ Yes ☐ No: Will the PHA’s program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?  
If yes, list criteria below:

## **12. PHA Community Service and Self-sufficiency Programs**

[24 CFR Part 903.7 9 (l)]

Exemptions from Component 12: High performing and small PHAs are not required to complete this component. Section 8-Only PHAs are not required to complete sub-component C.

### **A. PHA Coordination with the Welfare (TANF) Agency**

1. Cooperative agreements:

- ☐ Yes ☒ No: Has the PHA has entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)? **Note: The Housing Authority will establish an agreement by 4/30/00.**

If yes, what was the date that agreement was signed? DD/MM/YY



2. Other coordination efforts between the PHA and TANF agency (select all that apply)

- ☒ Client referrals
- ☐ Information sharing regarding mutual clients (for rent determinations and otherwise)
- ☐ Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
- ☐ Jointly administer programs
- ☐ Partner to administer a HUD Welfare-to-Work voucher program
- ☐ Joint administration of other demonstration program
- ☐ Other (describe)

**B. Services and programs offered to residents and participants**

**(1) General**

a. Self-Sufficiency Policies

Which, if any of the following discretionary policies will the PHA employ to enhance the economic and social self-sufficiency of assisted families in the following areas? (select all that apply)

- ☐ Public housing rent determination policies
- ☐ Public housing admissions policies
- ☐ Section 8 admissions policies
- ☐ Preference in admission to section 8 for certain public housing families
- ☒ Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
- ☐ Preference/eligibility for public housing homeownership option participation
- ☐ Preference/eligibility for section 8 homeownership option participation
- ☐ Other policies (list below)

b. Economic and Social self-sufficiency programs

- ☐ Yes ☒ No: Does the PHA coordinate, promote or provide any programs to enhance the economic and social self-sufficiency of residents? (If “yes”, complete the following table; if “no” skip to sub-component 2, Family Self Sufficiency Programs. The position of the table may be altered to facilitate its use. )

**Services and Programs**

Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)

## **(2) Family Self Sufficiency program/s**

### **a. Participation Description**

<b>Family Self Sufficiency (FSS) Participation</b>		
Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing	0	0
Section 8	0	0

- b. ☒ Yes ☐ No: If the PHA is not maintaining the minimum program size required by HUD, does the most recent FSS Action Plan address the steps the PHA plans to take to achieve at least the minimum program size?  
If no, list steps the PHA will take below:

## **C. Welfare Benefit Reductions**

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)

- ☒ Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
- ☒ Informing residents of new policy on admission and reexamination
- ☒ Actively notifying residents of new policy at times in addition to admission and reexamination.
- ☒ Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
- ☒ Establishing a protocol for exchange of information with all appropriate TANF agencies
- ☐ Other: (list below)

**D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937**

**13. PHA Safety and Crime Prevention Measures**

[24 CFR Part 903.7 9 (m)]

Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Section 8 Only PHAs may skip to component 15. High Performing and small PHAs that are participating in PHDEP and are submitting a PHDEP Plan with this PHA Plan may skip to sub-component D.

**A. Need for measures to ensure the safety of public housing residents**

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)

- ☐ High incidence of violent and/or drug-related crime in some or all of the PHA's developments
- ☐ High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
- ☐ Residents fearful for their safety and/or the safety of their children
- ☒ Observed lower-level crime, vandalism and/or graffiti
- ☐ People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- ☐ Other (describe below)

2. What information or data did the PHA used to determine the need for PHA actions to improve safety of residents (select all that apply).

- ☒ Safety and security survey of residents
- ☒ Analysis of crime statistics over time for crimes committed "in and around" public housing authority
- ☐ Analysis of cost trends over time for repair of vandalism and removal of graffiti
- ☒ Resident reports
- ☐ PHA employee reports
- ☒ Police reports
- ☐ Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- ☐ Other (describe below)

3. Which developments are most affected? (list below)

### **Grand Camp**

## **B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year**

1. List the crime prevention activities the PHA has undertaken or plans to undertake: (select all that apply)

- ☐ Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
- ☐ Crime Prevention Through Environmental Design
- ☒ Activities targeted to at-risk youth, adults, or seniors
- ☐ Volunteer Resident Patrol/Block Watchers Program
- ☒ Other (describe below) **Open anti-drug center.**

2. Which developments are most affected? (list below)

### **Grand Camp**

## **C. Coordination between PHA and the police**

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- ☐ Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- ☒ Police provide crime data to housing authority staff for analysis and action
- ☒ Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- ☐ Police regularly testify in and otherwise support eviction cases
- ☐ Police regularly meet with the PHA management and residents

- ☒ Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- ☐ Other activities (list below)
2. Which developments are most affected? (list below)

## Grand Camp

### D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- ☒ Yes ☐ No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- ☒ Yes ☐ No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan?
- ☒ Yes ☐ No: This PHDEP Plan is an Attachment. (Attachment Filename: \_\_\_\_)

## **14. RESERVED FOR PET POLICY**

[24 CFR Part 903.7 9 (n)]

## **15. Civil Rights Certifications**

[24 CFR Part 903.7 9 (o)]

Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations.

## **16. Fiscal Audit**

[24 CFR Part 903.7 9 (p)]

1. ☒ Yes ☐ No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))?  
(If no, skip to component 17.)
2. ☒ Yes ☐ No: Was the most recent fiscal audit submitted to HUD?
3. ☒ Yes ☐ No: Were there any findings as the result of that audit?
4. ☐ Yes ☒ No: If there were any findings, do any remain unresolved?  
If yes, how many unresolved findings remain? \_\_0\_\_
5. ☒ Yes ☐ No: Have responses to any unresolved findings been submitted to HUD?  
If not, when are they due (state below)?

## **17. PHA Asset Management**

[24 CFR Part 903.7 9 (q)]

Exemptions from component 17: Section 8 Only PHAs are not required to complete this component. High performing and small PHAs are not required to complete this component.

1. ☐ Yes ☒ No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock , including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?
2. What types of asset management activities will the PHA undertake? (select all that apply)  
☒ Not applicable  
☐ Private management  
☐ Development-based accounting  
☐ Comprehensive stock assessment  
☐ Other: (list below)
3. ☐ Yes ☒ No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

## **18. Other Information**

[24 CFR Part 903.7 9 (r)]

### **A. Resident Advisory Board Recommendations**

1. ☐ Yes ☒ No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?
2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)  
☐ Attached at Attachment (File name) **N/A**  
☐ Provided below:
3. In what manner did the PHA address those comments? (select all that apply) **N/A**  
☐ Considered comments, but determined that no changes to the PHA Plan were necessary.  
☐ The PHA changed portions of the PHA Plan in response to comments  
List changes below:  
☐ Other: (list below)

## B. Description of Election process for Residents on the PHA Board

1. ☐ Yes ☒ No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)
2. ☐ Yes ☒ No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

### 3. Description of Resident Election Process **N/A**

#### a. Nomination of candidates for place on the ballot: (select all that apply)

- ☐ Candidates were nominated by resident and assisted family organizations
- ☐ Candidates could be nominated by any adult recipient of PHA assistance
- ☐ Self-nomination: Candidates registered with the PHA and requested a place on ballot
- ☐ Other: (describe)

#### b. Eligible candidates: (select one)

- ☐ Any recipient of PHA assistance
- ☐ Any head of household receiving PHA assistance
- ☐ Any adult recipient of PHA assistance
- ☐ Any adult member of a resident or assisted family organization
- ☐ Other (list)

#### c. Eligible voters: (select all that apply)

- ☐ All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
- ☐ Representatives of all PHA resident and assisted family organizations
- ☐ Other (list)

## C. Statement of Consistency with the Consolidated Plan

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary).

1. Consolidated Plan jurisdiction: (provide name here) **City of Texas City**
2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
- ☒ The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
- ☒ The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.

☒ The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.

☒ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)

**The Consolidated Plan supports additional assisted housing.**

☒ Other: (list below)

**The land use tax policies and land use controls support development and maintenance of affordable housing.**

4. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

**Priority 2 is to maintain existing units and increase the supply of decent, safe and affordable housing for low and moderate income families.**

**The Consolidated Plan supports teamwork between the City of Texas City and the Housing Authority of Texas City to increase affordable housing stock.**

**The Consolidated Plan sites the desire to establish a better working relationship with the City of Texas City through the Partnership Paradigm a direct collaboration with PHA Drug Elimination Program and Texas City Parks & Recreation.**

#### **D. Other Information Required by HUD**

Use this section to provide any additional information requested by HUD.

#### **Attachments**

Use this section to provide any additional attachments referenced in the Plans.



# PHA Plan Table Library

## Component 7 Capital Fund Program Annual Statement Parts I, II, and II

### Annual Statement

#### Capital Fund Program (CFP) Part I: Summary

Capital Fund Grant Number **TX032**      FFY of Grant Approval: **(01/2000)**

☒ Original Annual Statement

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	<b>53,302.00</b>
3	1408 Management Improvements	<b>25,000.00</b>
4	1410 Administration	<b>32,340.00</b>
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	<b>25,000.00</b>
8	1440 Site Acquisition	
9	1450 Site Improvement	
10	1460 Dwelling Structures	<b>95,000.00</b>
11	1465.1 Dwelling Equipment-Nonexpendable	<b>13,868.00</b>
12	1470 Nondwelling Structures	
13	1475 Nondwelling Equipment	<b>22,000.00</b>
14	1485 Demolition	
15	1490 Replacement Reserve	
16	1492 Moving to Work Demonstration	
17	1495.1 Relocation Costs	
18	1498 Mod Used for Development	
19	1502 Contingency	
20	<b>Amount of Annual Grant (Sum of lines 2-19)</b>	<b>\$266,510.00</b>
21	Amount of line 20 Related to LBP Activities	
22	Amount of line 20 Related to Section 504 Compliance	
23	Amount of line 20 Related to Security	
24	Amount of line 20 Related to Energy Conservation Measures	

**Annual Statement****Capital Fund Program (CFP) Part II: Supporting Table**

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
<b>HA Wide</b> <b>TX032</b>	<b>Funds for Operation</b>	<b>1406</b>	<b>53,302.00</b>
	<b>MOD Coordinator/Benefits</b>	<b>1410</b>	<b>32,340.00</b>
	<b>Fee and Costs</b>	<b>1430</b>	<b>25,000.00</b>
	<b>Maintenance Equipment</b>	<b>1475</b>	<b>22,000.00</b>
<b>TX032003</b>	<b>Interior remodeling of 7 buildings</b>	<b>1460</b>	<b>95,000.00</b>
	<b>TOTAL</b>		<b>266,510.00</b>

## **Annual Statement**

### **Capital Fund Program (CFP) Part III: Implementation Schedule**

Development Number/Name HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	All Funds Expended (Quarter Ending Date)
<b>HA Wide</b>	<b>06/30/01</b>	<b>12/31/03</b>
<b>TX032002 (Site 'B')</b>	<b>06/30/01</b>	<b>12/31/03</b>
<b>TX032003 (Scattered Sites)</b>	<b>06/30/01</b>	<b>12/31/03</b>

Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Total estimated cost over next 5 years				

**Optional Public Housing Asset Management Table**

See Technical Guidance for instructions on the use of this table, including information to be provided.

Public Housing Asset Management								
Development Identification		Activity Description						
Name, Number, and Location	Number and Type of units	Capital Fund Program Parts II and III <i>Component 7a</i>	Development Activities <i>Component 7b</i>	Demolition / disposition <i>Component 8</i>	Designated housing <i>Component 9</i>	Conversion <i>Component 10</i>	Home-ownership <i>Component 11a</i>	Other (describe) <i>Component 17</i>

# Public Housing Drug Elimination Program Plan

**Note: THIS PHDEP Plan template (HUD 50075-PHDEP Plan) is to be completed in accordance with Instructions located in applicable PIH Notices.**

## Annual PHDEP Plan Table of Contents:

1) General Information/History	Pages 1, 2
2) PHDEP Plan Goals and Budget	Pages 2, 3, 4, 5
3) Expenditure/Obligation Milestones	Page 5
4) Certifications	Page 5

## Section 1: General Information/History

**A. Amount of PHDEP Grant \$ 28,592.00**

**B. Eligibility type (Indicate with an "x")** N1 \_\_\_\_\_ N2 \_\_\_\_\_ R X

**C. FFY in which funding is requested 1999**

**D. Executive Summary of Annual PHDEP Plan**

In the space below, provide a brief overview of the PHDEP Plan, including highlights of major initiatives or activities undertaken. It may include a description of the expected outcomes. The summary must not be more than five (5) sentences long

Housing Authority of The City of Texas City, TX will utilize PHDEP funds to establish a police presence throughout the public housing community, provide activities for at-risk youth, substance abuse, and domestic violence, and ensure the overall safety of the residents.

## **E. Target Areas**

Complete the following table by indicating each PHDEP Target Area (development or site where activities will be conducted), the total number of units in each PHDEP Target Area, and the total number of individuals expected to participate in PHDEP sponsored activities in each Target Area.

PHDEP Target Areas (Name of development(s) or site)	Total # of Units within the PHDEP Target Area(s)	Total Population to be Served within the PHDEP Target Area(s)
TX032001, Grand Camp	40	117
TX032002, Grand Camp, Blue Jay	40	130
TX032003, Scattered Sites	50	133

## **F. Duration of Program**

Indicate the duration (number of months funds will be required) of the PHDEP Program proposed under this Plan (place an "x" to indicate the length of program by # of months. For "Other", identify the # of months).

**6 Months** \_\_\_\_\_ **12 Months** \_\_\_\_\_ **18 Months** \_\_\_\_\_ **24 Months** X **Other** \_\_\_\_\_

## G. PHDEP Program History

Indicate each FY that funding has been received under the PHDEP Program (place an “x” by each applicable Year) and provide amount of funding received. If previously funded programs have not been closed out at the time of this submission, indicate the fund balance and anticipated completion date. For grant extensions received, place “GE” in column or “W” for waivers.

Fiscal Year Of Funding	PHDEP Funding Received	Grant #	Fund Balance as of Date of this Submission	Grant Extensions or Waivers	Anticipated Completion Date
FY 1995	49,500.00	TX24DEP0320195	0	-	-
FY 1996	49,500.00	TX24DEP0320196	0	-	-
FY 1997	0		0	-	-
FY 1998	0		0	-	-
FY 1999	28,592.00	TX24DEP0320199	23,842.00.00	-	12/16/01

## Section 2: PHDEP Plan Goals and Budget

### A. PHDEP Plan Summary

In the space below, summarize the PHDEP strategy to address the needs of the target population/target area(s). Your summary should briefly identify: the broad goals and objectives, the role of plan partners, and your system or process for monitoring and evaluating PHDEP-funded activities. This summary should not exceed 5-10 sentences.

The PHDEP plan for the Housing Authority of The City of Texas City, TX will implement the following goals and objectives:

Ensure the safety of residents by providing a regular police presence; and targeting at-risk youth, for drug prevention programs. An evaluation and monitoring system that includes setting benchmarks, gathering data for analysis of quantifiable goals for residents as well as quarterly reports will be implemented.

### B. PHDEP Budget Summary

Enter the total amount of PHDEP funding allocated to each line item.

FY <u>2000</u> PHDEP Budget Summary	
Budget Line Item	Total Funding
9110 - Reimbursement of Law Enforcement	
9120 - Security Personnel	
9130 - Employment of Investigators	
9140 - Voluntary Tenant Patrol	
9150 - Physical Improvements	
9160 - Drug Prevention	29,799.00
9170 - Drug Intervention	
9180 - Drug Treatment	
9190 - Other Program Costs	
<b>TOTAL PHDEP FUNDING</b>	<b>29,799.00</b>

## C. PHDEP Plan Goals and Activities

In the tables below, provide information on the PHDEP strategy summarized above by budget line item. Each goal and objective should be numbered sequentially for each budget line item (where applicable). Use as many rows as necessary to list proposed activities (additional rows may be inserted in the tables). PHA's are not required to provide information in shaded boxes. Information provided must be concise—not to exceed two sentences in any column. Tables for line items in which the PHA has no planned goals or activities may be deleted.

<b>9110 - Reimbursement of Law Enforcement</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# Of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9120 - Security Personnel</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# Of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9130 - Employment of Investigators</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# Of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9140 - Voluntary Tenant Patrol</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# Of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							



9150 - Physical Improvements					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# Of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

9160 - Drug Prevention					Total PHDEP Funding: \$ 29,799.00		
Goal(s)	1) Ensure safety of residents. 2) Enhance awareness of dangers of drugs among youth.						
Objectives	3) Establish a regular police presence throughout the public housing community to deter criminal activity. 4) Provide drug prevention services to reduce incidents of drug use within the community.						
Proposed Activities	# Of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1. Community policing	380	380	02/01/00	12/16/01	14,899.00	NA	Establishment and implementation of community policing program.
2. Educational programs	380	380	02/01/00	12/16/01	14,900.00	NA	Reach 50% of residents with drug prevention/ intervention activities
3.							

9170 - Drug Intervention					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# Of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

9180 - Drug Treatment					Total PHDEP Funding: \$		
Goal(s)							
Objectives							
Proposed Activities	# Of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDep Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

9190 - Other Program Costs						Total PHDEP Funds: \$	
----------------------------	--	--	--	--	--	-----------------------	--

Goal(s)							
Objectives							
Proposed Activities	# Of Persons Served	Target Population	Start Date	Expected Complete Date	PHED P Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

### **Section 3: Expenditure/Obligation Milestones**

Indicate by Budget Line Item and the Proposed Activity (based on the information contained in Section 2 PHDEP Plan Budget and Goals), the % of funds that will be expended (at least 25% of the total grant award) and obligated (at least 50% of the total grant award) within 12 months of grant execution.

Budget Line Item #	25% Expenditure Of Total Grant Funds By Activity #	Total PHDEP Funding Expended (sum of the activities)	50% Obligation of Total Grant Funds by Activity #	Total PHDEP Funding Obligated (sum of the activities)
<i>e.g. Budget Line Item # 9120</i>	<i>Activities 1, 3</i>		<i>Activity 2</i>	
9110				
9120				
9130				
9140				
9150				
9160	Activities 1	14,899.00	Activities 2	14,900.00
9170				
9180				
9190				
<b>TOTAL</b>		\$14,899.00		\$14,900.00

### **Section 4: Certifications**

A comprehensive certification of compliance with respect to the PHDEP Plan submission is included in the “PHA Certifications of Compliance with the PHA Plan and Related Regulations.”

# Housing Authority of The City of Texas City, TX

817 Second Avenue North  
Texas City, Texas 77590

Ph: (409) 945-4011  
Fax: (409) 943-4525

April 17, 2001

Mr. Charlie Barnett  
U.S. Department of Housing and Urban Development  
Troubled Agency Recovery Center  
One Memphis Place  
200 Jefferson Avenue, Suite 300  
Memphis, Tennessee 38103-2335

Dear Mr. Barnett:

Subject: Texas City Housing Authority-TX032  
PHA Plan Deficiencies

The Texas City Housing Authority has submitted the corrections electronically that were noted in the review by your office. We offer the following remedies to correct the deficiencies:

**Deficiency 1:**

Item no.1. Statement of Needs. We have edited the table to reflect the date of closure of the waiting list.

**Deficiency 2:**

Item no.12B. PHA Community Service and Self-sufficiency Program. This item was edited accordingly to include the appropriate responses.

**Deficiency 3:**

Item no 13 D. PHA Safety and Crime Prevention Measures. Prepared PHDEP Plan on required template and electronically submitted.

**Deficiency 4:**

Item no. 17. PHA Asset Management. This item was edited accordingly to the plan.

The two additional certifications will be mailed to your office in hard copy. In addition, we have included the Section 8 Administrative Plan and the FY 2000 Capital Fund Electronic Statement. The FY 2000 Operating Budget hard copy has already been submitted to the Memphis office. The Admissions and Continuing Occupancy Policy (ACOP) is currently in process of being revised and will be submitted with the 2001 Plan Submission.

If you have any questions or need any additional information please give me a call at (409) 945-4011.

Sincerely,

*George Fuller*

George Fuller

# **Housing Authority of The City of Texas City, TX**

817 Second Avenue North  
Texas City, Texas 77590

Ph: (409) 945-4011  
Fax: (409) 943-4525

Executive Director  
Housing Authority of the City of Texas City, TX

**THE HOUSING AUTHORITY OF THE CITY OF TEXAS CITY**

***SECTION 8 PROGRAM ADMINISTRATIVE PLAN***

**DATE OF BOARD OF COMMISSIONERS APPROVAL:** \_\_\_\_\_

**THE HOUSING AUTHORITY OF THE CITY OF TEXAS CITY**  
**SECTION 8 PROGRAM ADMINISTRATIVE PLAN**

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**THE HOUSING AUTHORITY OF THE CITY OF TEXAS CITY**  
**SECTION 8 PROGRAM ADMINISTRATIVE PLAN**

**I. INTRODUCTION AND STATEMENT OF APPROACH AND OBJECTIVES TO ADMINISTER THE SECTION 8 PROGRAMS**

**A. BACKGROUND**

The Section 8 Program was created by the Housing and Community Development Act of 1974 and amended by the Housing and Community Development Act of 1981 and the Quality Housing and Work Responsibility Act of 1998. In 1976 the Section 8 Program was established by The Housing Authority of the City of Texas City (hereinafter referred to as PHA or Housing Authority), when it received the first Annual Contributions Contract (ACC) under the Section 8 Existing Housing Assistance Payments Program.

Administration of the Section 8 Housing Programs (including Vouchers) and the function and the responsibilities of the PHA staff shall be in compliance with the Personnel Policy of the PHA, the Equal Opportunity for Housing regulations, the Section 8 Administrative Plan, and applicable Standard Operating Procedures. All Federal, State and local housing laws will be followed and the PHA will comply with the City of Texas City's Consolidated Plan.

**B. HOUSING AUTHORITY MISSION STATEMENT AND SECTION 8 PROGRAM OBJECTIVES**

1. The mission statement of the Housing Authority of the City of Texas City is:
  - a. to encourage, within program restrictions, the freedom of housing choice and spatial de-concentration for assisted housing into areas outside of those in which very low-income minority households are concentrated;
  - b. To provide improved living conditions for very low-income families while maintaining their rent payments at an affordable level.
2. The following objectives of the Section 8 Programs support the above mission statement:
  - a. to provide descent, safe, and sanitary living conditions;
  - b. to provide improved living conditions for very low-income families while maintaining their rent payments at an affordable level;
  - c. to promote personal, economic and social upward mobility to assist residents to make the transition from subsidized to non-subsidized housing; and

- d. to provide an incentive to private property owners/landlords to rent to low-income families by offering timely assistance payments and excellent service.

#### C. LEGAL JURISDICTION

The area of operation of the PHA is geographically defined as the Texas City city limits and within five (5) miles surrounding the territorial boundaries of the Texas City city limits.

#### D. PURPOSE OF THE ADMINISTRATIVE PLAN

The purpose of the Administrative Plan is to establish policies for items that are not covered under Federal Regulations for the Section 8 Existing Housing Assistance Payments Program.

The Administrative Plan, hereinafter referred to as the Plan, covers both the admission and continued participation in the above mentioned program.

Changes in the Plan will be approved by the Board of Commissioners for the PHA and a copy provided to the U.S. Department of Housing and Urban Development (HUD).

#### E. NONDISCRIMINATION

The PHA shall not discriminate because of race, color, gender, religion, creed, national or ethnic origin, age, family or marital status, disability, or sexual orientation, in the performance of its obligations in any program under its jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended.

To further the commitment to full compliance with applicable Civil rights laws, the PHA will provide information to Section 8 participants with regard to housing discrimination. Information and Discrimination Complaint Forms will be made part of the briefing packet.

Posters and housing information with the Equal Opportunity Housing logo may be displayed in locations through the PHA office in such a manner as to be easily readable from a wheelchair.

The PHA's Section 8 office space is accessible to persons with disabilities. Accessibility for the hearing impaired may be provided by the TDD/TDY telephone number.

#### F. SERVICE POLICY/ACCOMMODATIONS

It is the policy of the PHA to be service-directed in the administration of its housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services.

Policies and practices are designed to provide assurances that all persons with disabilities are provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations may be made known by including notices on forms and letters to all families, and all requests may be verified so that needs can be properly accommodated. All mailings may be made available in an accessible format upon request, as a reasonable accommodation. Organizations which provide assistance for hearing-impaired and sight-impaired persons may be utilized.

#### G. TRANSLATION OF DOCUMENTS

In order to determine whether it is feasible to translate documents into other languages, the PHA will consider the following facts:

1. Number of applicants who speak a language other than English.
2. Cost of translation into other languages per client who speaks the language.
3. Evaluation of the need for translation by the bilingual staff and by agencies that work with the non-English speaking clients.
4. The availability of organizations to translate documents, letters and forms for non-English speaking families.
5. Availability of bilingual staff to explain untranslated documents to clients.

#### H. PRIVACY RIGHTS

Applicants will be required to sign the Federal Privacy Act Statement in conjunction with HUD 50058 form which states under what conditions HUD will relate resident and owner/landlord information. Applicants will also be required to sign HUD 9886, Authorization for Release of Information.

The PHA policy regarding release of information is:

1. Information shall not be released without the signed client release with the individual request for information unless the blanket authorization is used.
2. However, the PHA may release information on amounts owed for claims paid and not reimbursed by the client.

3. The PHA must release the client's current address and the name of the current landlord, the client's former address and the name of the landlord of the former address if known to the Certificate/Housing Voucher Holder's prospective Landlord, upon written request of the prospective Landlord.
4. The PHA may release information on amounts requested by court subpoena, a federal or state agency, or a law enforcement agency.
5. The PHA must limit use and disclosure of family information obtained through release and consent to purposes directly connected with the program administration.

#### I. RULES AND REGULATIONS

All issues not addressed in this document related to residents and participants are governed by HUD Handbook 7420.7, the Code of Federal regulations, HUD Memos, Notices and Guidelines or other applicable law, and the Section 8 Programs Standard Operations Procedures.

#### J. LIST OF SECTION 8 PROGRAMS

The following is a list of Section 8 Programs offered by the PHA:

- a. the Certificate Program;
- b. the Voucher Program;
- c. the Family Self Sufficiency.

#### K. STAFFING POSITIONS

The following are the positions and titles and description of staff members who are responsible for the implementation of the Section 8 Programs:

- a. Executive Director;
- b. Section 8 Coordinator;
- c. Section 8 Occupancy Assistant;
- d. Section 8 Clerk;
- e. Housing Inspector.

#### L. CUSTOMER RELATIONS

The PHA considers all families and owners as its "customers". The goal of the PHA is to respond promptly to the needs of its customers. All contact with the customer and the general public will be handled in a professional and courteous manner. The PHA may require that complaints other than HQS violations be put in writing. Complaints that would otherwise not be resolved through the informal review or informal hearing processes will be referred to the appropriate staff person for resolution.

These complaints may include, but are not limited to:

1. treatment of customers by staff;
2. complaints or referrals from persons in the community in regard to customers;
3. disagreement with an action or inaction by the family or owner; and
4. treatment of staff by customers.

## II. TRANSITION OF THE NEW HOUSING PROGRAM (HCVP)

The majority of changes necessary to merge the certificates and vouchers were accomplished in the conforming rules in three (3) phases: 1994, 1995, and 1998. The remaining significant changes are defined below.

### A. Housing Choice Voucher Program (HCVP) and Pre-Merger Certificates

1. October 1, 1999 is the “merger date”;
2. on or after this date, all admissions fall under the Housing Choice Voucher Program;
3. for certificates issued before “merger date”, PHA may:
  - Ⓒ choose to let families continue to search for housing during term of pre-merger certificate; or
  - Ⓒ issue a voucher under the Housing Choice Voucher Program for a new term.

### B. Treatment of Pre-Merger Vouchers

1. On the merger date, assistance automatically changes to Housing Choice Voucher Program.
2. Subsidy Calculation for existing voucher:
  - Ⓒ HAP calculated in accordance with HUD requirements;
  - Ⓒ method of calculating commences at the second regular annual reexamination; or
  - Ⓒ when the next Housing Assistance Payment contract is executed.

### C. Conversion of Pre-Merger Over-FMR Certificates to Vouchers

1. Over-FMR participants change to Housing Choice Voucher Program;
2. Over-FMR HAP contracts must be calculated in accordance with HUD requirements. Method of calculating commences at the second regular annual reexamination.

### D. Conversion of Pre-Merger Regular Tenancy Certificate to Vouchers

1. Automatically changes to HCVP when PHA executes new contract;
2. Terminate existing contract at second regular annual reexamination;
3. Until conversion no changes in certificate requirements:

- C HAP calculation;
- C annual adjustments;
- C adjustments to Contract Rent.

### III. OUTREACH TO FAMILIES AND OWNERS/LANDLORDS

#### A. FAMILY OUTREACH

1. The Section 8 office continues to publicize and disseminate information, as needed, concerning the availability and nature of housing assistance. Upon execution of an Annual Contributions Contracts (ACC) for additional units, the Section 8 office may make known to the public through publication in a newspaper of general circulation, minority media, and other suitable means the availability and nature of housing assistance for very low-income families, unless application-taking has been suspended according to HUD regulation. A waiting list hotline with a recorded message may be utilized.
2. To reach persons who cannot read the newspapers, the Section 8 office may distribute fact sheets to the broadcasting media. Personal contacts with the news media and with community service personnel as well as public service announcements, will be handled by the Executive Director's office.
3. Upon receipt of new funding, the Section 8 office may review its current waiting list and consider whether outreach is needed. If it is needed, the Section 8 office will analyze outreach options to accommodate the diversity and distribution of eligible families and the differences in their willingness to respond to and participate in the program.

#### B. OPENING/CLOSING THE WAITING LIST

1. The following options may be considered when opening the Waiting List:
  - a. A lottery method may be used, whereby after the required public notice, prospective applicants fill out and mail lottery forms to a post office box. The PHA pulls a pre-determined number of applicants in a random method. PHA may participate in an agency consortium to receive technical assistance concerning this method.
  - b. A pre-application form is made available at selected location(s) and during prescribed days and times. Potential applicants must complete the pre-application.
  - c. The following criteria may be used when selecting a method to open the Waiting list:
    - (1) Potential applicants must be treated with dignity and concern. The need to stand in line for long periods of time is to be avoided.
    - (2) Reasonable methods to assist people with disabilities are to be utilized.



- (3) The number of applicants needed, the needed income level of applicants, and the costs of any method may be considered.

2. Closing the Waiting List

- a. The closing date of the Waiting List may be announced at the same time as the opening is announced.
- b. The PHA may use the closing date to limit the size of the Waiting List to a number of applicants who will most likely receive assistance within a twelve (12) to eighteen (18) month period.

3. The opening/closing of the Waiting List shall be announced through public notices as follows:

- a. The notice shall be placed in a newspaper of general circulation, in a minority publication and in plain view of the application office.
- b. Postings may be made at locations throughout the community and may be sent to social service agencies.
- c. The notices shall contain all of the information needed to enable interested parties to complete the process.
- d. The notice may be made in an accessible format if requested.
- e. The notice must contain the Equal Opportunity Housing logo.

## C. OWNER/LANDLORD OUTREACH

1. The Section 8 office maintains good relations with existing owners/landlords and encourages new owners/landlords to participate and to make dwelling units available for leasing by eligible families in accordance with the Equal Opportunity Housing Plan.
2. The PHA may use a comprehensive marketing effort described in the next section to recruit owners/landlords in areas that offer expanded opportunities to our participants.
3. In order to assure that owner/landlord outreach efforts are identifying owners/landlords with units outside areas of low-income and minority concentration the PHA evaluates new leases on a quarterly basis. The Housing Inspectors assist the Section 8 Coordinator in evaluating the new Request for Lease Approvals by using computer generated reports and/or rent reasonableness studies.

4. The PHA may participate in community-based organization(s) comprised of private property and apartments/landlords and managers.
5. The PHA may conduct periodic meetings with participating owners/landlords to improve owner/landlord relations and to recruit new owners/landlords.
6. The take-one, take-all provisions are permanently eliminated.

**D. PROMOTING GREATER HOUSING OPPORTUNITIES FOR FAMILIES OUTSIDE AREAS OF LOW-INCOME AND MINORITY CONCENTRATION**

1. A comprehensive marketing plan may be used to locate owners/landlords, as follows:
  - a. Un-impacted areas are identified. Owners/landlords in these areas are contacted.
  - b. Regular meetings are held with investors and other owner/landlord groups to explain the program and recruit owners/landlords. A presentation is given with written materials.
  - c. The rental stock in areas without concentration of very low-income and minority residents is surveyed to identify vacant units. The owners/landlords and managers are contacted.
  - d. Investors are recruited to purchase units in the identified areas and rent them to the Section 8 applicants.
  - e. Complex managers are recruited through meetings with manager associations and special training programs geared toward managers.
  - f. Ads and articles are placed in owner/landlord, manager, and investor newsletters.
  - g. All Section 8 staff is required to adopt the customer service representative approach and implement the program accordingly.
  - h. Tax credit investors are monitored for proper participation to meet their responsibilities as participants with the Section 8 program.
2. Mass media is used as needed.
3. Printed materials for owners/landlords may consist of:
  - a. A one-page tri-fold handout;

- b. An owner/landlord manual that describes all of the procedures as well as tips to be successful with the Section 8 program, and other materials as needed.
- 4. The following actions may be taken to comply with SEMAP requirements:
  - a. Information about general locations and characteristics of neighborhoods is provided to residents.
  - b. A listing of available rental property is updated and distributed to Section 8 participants. These listings show addresses, shopping centers, bus lines, amenities in the PHA units, deposit information, etc. as provided by owners/landlords.
  - c. Applicants are made aware of the fact that they may choose any unit within the PHA's jurisdiction as long as the program requirements are met regarding the unit.
  - d. Applicants are advised of portability provisions available in the Section 8 program.
  - e. Section 8 participants may be provided a map which identifies areas of low-poverty and minority concentrations.

IV. COMPLETION OF APPLICATION, PREFERENCES, DETERMINATION OF ELIGIBILITY, AND SELECTION OF FAMILIES

A. COMPLETION OF APPLICATION

1. Pre-Application Procedures

- a. A preliminary-application form (pre-application) may be utilized. The information is to be filled out by the applicant whenever possible. To provide specific accommodation for persons with disabilities, the information may be completed by a staff person over the telephone. It may also be mailed to the applicant, and if requested, it will be mailed in an accessible format.
- b. The purpose of the pre-application is to permit the PHA to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list. The pre-application may contain questions designed to obtain the following information:
  - C Names of adult members and age of all members;
  - C Sex and relationship of all members;
  - C Street Address and phone numbers;
  - C Mailing Address (if PO Box or other permanent address);
  - C Picture I.D. for all family members age 18 years or older;
  - C Amount(s) and source(s) of income received by household members;
  - C Information regarding disabilities to determine qualifications for allowances and deductions;
  - C Information related to qualification for preference or special admissions;
  - C Social Security Numbers;
  - C Race/ethnicity;
  - C Citizenship/eligible immigration status;
  - C Arrests/Convictions for Drug-Related or Violent Criminal Activity;
  - C Request for Specific Accommodation needed to fully utilize program and services;
  - C Previous address;
  - C Current and previous landlords names and addresses;
  - C Emergency contact person and address;
  - C Program integrity questions regarding previous participation in HUD programs.
- c. Pre-applications may not require an interview. The information on the application may not be verified until the applicant has been selected for final eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified.

- d. Applicants are required to inform the PHA, in writing, of changes in address. Applicants are also required to respond to requests from the PHA to update information on their application and to determine their interest in assistance.
- e. Failure to provide information or to respond to mailings may result in the applicants name being removed or placed at the bottom of the waiting list. Mail that is returned by the U.S. Postal Service may result in removal from the waiting list. Applicants who are removed from the waiting list may reapply for assist when the waiting list is opened.

## 2. Notification of Applicant Status

Based on the information provided by the applicant on the pre-application form, if the family is preliminary determined eligible, the applicant will be informed of the estimated date their name will be reached to receive assistance. PHA communication will in no way lead applicants to believe that the estimated date of Voucher issuance is exact, but will stress that the estimated date of Voucher issuance is subject to several factors that are beyond the PHA's control (i.e. turnover, funding, etc.).

## 3. Completion of a Full Application

- a. Families will be invited to come into the office to complete a full application at a scheduled interview. Appointments are scheduled by mail and generally provide the applicant with at least two (2) weeks written notice. The appointment letter also identifies the type of information that the applicant will be required to bring to the interview.
- b. The family will complete the application on their own whenever possible. The head of household, as well as all members of the household over the age of eighteen (18) years must sign the application including all required HUD forms. Reasonable accommodations are made for persons with disabilities.

### c. Requirement to Attend Scheduled Meeting

It is the applicant's responsibility to reschedule the interview. If the applicant fails to attend the scheduled appointment and does not contact the Section 8 Department in writing or by telephone to reschedule the appointment the application may be rejected.

### d. Verification of Full Application Information

- (1) Information provided by the applicant will be verified including information documenting family composition, income, assets, allowances and deductions, preference status (if needed), full-time

student status, and other factors relating to eligibility, to determine applicant eligibility before the applicant is issued assistance. Discretion may be used to permit applicants to provide some updated verification after receiving a voucher, if sufficient verification has been received to certify eligibility.

- (2) Third-party verifications in writing (sent by mail directly to the PHA) are preferred. Oral third-party verifications are acceptable if they are properly documented.
- (3) If third-party verification is impossible to obtain documentation will be placed in the file explaining another method was used and other documents may be provided by the family. Documents will be photocopied when not prohibited by law. When documents cannot be photocopied, staff certification forms, noting documents viewed, will be used by recording the source of information, the information obtained, and signed and dated by the staff person who viewed the document.

#### 4. Final Determination and Notification of Eligibility

- a. After the verification process is completed, a final determination is needed. Final determination of eligibility is based upon the same factors as preliminary or provisional eligibility, except that data at this point is verified through a third-party or documented best source available.
- b. The household is not actually eligible for assistance issuance until this final determination has been made, even though they may have been preliminarily or provisionally eligible and may have been issued provisional assistance.

#### 5. Denial of Admissions

Denial of program assistance may be made for an applicant for any of the following grounds:

- a. The family must supply any information that is determined necessary in the administration of the program;
- b. The applicant provides information that is not true or complete;
- c. The applicant or family member(s) has been evicted from **federally-assisted housing in the last five (5) years.**
- d. If the PHA has ever terminated assistance under the certificate or voucher program for any member of the family;

- e. If any member of the family commits drug-related criminal activity or violent criminal activity;
- f. If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any Federal housing program;
- g. If the family currently owes rent or other amounts to the PHA or another PHA in connection with Section 8 or Public Housing Assistance under the 1937 Act;
- h. If the family has not reimbursed any PHA for amounts paid to an owner/landlord under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
- i. If the family breaches an agreement to pay amounts owed to a housing authority or amounts paid to an owner/landlord by a housing authority; (The PHA, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to a PHA or amounts paid to an owner/landlord by a PHA. The PHA may prescribe the terms of the agreement);
- j. If the family has engaged in or threatened abusive or violent behavior toward PHA personnel; and
- k. If an applicant is required to be registered in a “State life-time sexual offender” registry, they will be determined ineligible.

#### 6. Right to an Informal Review

The Informal Review process can be reviewed in greater detail in “Section XIX. Informal Hearing & Reviews”.

- a. Applicants who are denied Section 8 assistance are entitled to an informal review.
- b. Ineligible applicants will be promptly provided with a letter detailing their individual status, stating the reason for ineligibility, and offering them an opportunity for an informal review.
- c. Applicants must submit their request for an informal review in writing to the PHA within ten (10) calendar days from the date of the determination.

#### 7. Updating the Waiting List

- a. The PHA may periodically update the waiting list to ensure that it is current and accurate.

- b. The PHA may mail a letter to the applicant's last known address requesting information regarding their continued interest in maintaining a place on the waiting list.
- c. If the applicant did not notify the PHA of a move as required, the PHA may not be responsible for the applicant's failure to receive the update request.
- d. The request letter will include a deadline date by which the applicant must contact the PHA of their continued interest, by mail or in person. If the PHA fails to receive the updated applicant information by the deadline date, the applicant's name will be removed from the waiting list.
- e. Notification of a change in address to the U.S. Post Office or sources other than the PHA is not considered compliance with the requirements to notify the PHA.
- f. Applicants may be given fifteen (15) days to return the notice of continued interest. The PHA does not accept responsibility for mail delays.

## B. LOCAL PREFERENCES

Families meeting the requirements for one or more of the Local Preferences shall be given priority for assistance before those families who do not have a Local Preference. Families with the same preference shall be selected by date and time of application. The following local preferences will be used for selection from the waiting list;

- a. Involuntarily Displaced ( Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition )
- a. Victims of Domestic Violence
- b. Substandard Housing
- c. Working Families

## C. ELIGIBILITY DETERMINATION

### 1. Family Designation

- a. Two (2) or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit or show evidence of a stable family relationship for at least one year if not legally married.
- b. Evidence of a "stable family relationship" may include any of the following: birth certificates of the children, joint tax returns, prior lease



(held jointly), joint bank accounts, insurance policies, informal marriage certificates or equivalent documentation.

- c. A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members.
- d. An elderly household whose head or spouse meets the following definitions (unless otherwise approved by HUD). The head, spouse or sole member must be:

- C 62 years of age or older; or
- C Disabled with a physical impairment which is expected to be a long, continued and indefinite duration (at least the next 12 months), which substantially impedes but does not prohibit his/her ability to live independently; or
- C Disabled within the meaning of Section 223 of the Social Security Act or Section 102(b) or 6001(7) of the Developmentally Disabled Act; or
- C Two (2) or more elderly or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides; or
- C Alcohol and drug addiction is not considered part of the definition for disabled.

- e. Single Persons

A person who lives alone or intends to live alone, and who does not qualify as an elderly family or displaced person or as the remaining member of a resident family.

- f. Remaining Members

The remaining members of a participant family shall be considered a family. When the head of household departs the family, the adult responsible for the children may receive assistance until the head of household returns.

- g. Head of Household

The head of household is an adult member of the household who is designated by the family as the head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under

State/local law. Emancipated minors who qualify under State laws will be recognized as a head of household.

h. Split Households Prior to Issuance of Assistance

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation and the new families both claim the same placement on the waiting list, and there is no court determination, the following will be considered:

- C which family unit retains the children or any disabled or elderly members;
- C recommendation of social services agencies or qualified professionals, such as children's protective service.

Documentation of these factors is the responsibility of the applicant families. If either or both of the families do not provide the documentation, they may be denied placement on the waiting list.

i. Anticipated Family Composition

For initial application, members of the family not currently residing together, but who will be in the household under Section 8 may be listed. The family is to provide documentation describing why the family members are not currently living together.

j. Joint Custody of Children

Children who are subjected to a joint custody agreement, but live with one parent at least 29% of the time will be considered members of the household. "29% of the time" is defined as 104 days of the year, which do not have to run consecutively.

k. Live-in Aides (also referred to as Live-in Attendants)

A family may include a live-in aide who:

- C is determined to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities;
- C is not obligated for the support of the family; and
- C would not be living in the unit except to provide care for the person(s);
- C whose income will not be counted for purposes of determining eligibility or rent; and
- C who may not be considered as a remaining member of the resident family;
- C relatives are not automatically excluded from being care attendants, but must meet the definition described above;

- C a live-in attendant's family members may be allowed to reside in the assisted unit provided that doing so does not increase the subsidy cost of an additional bedroom, and the presence of the live-in attendant's family does not overcrowd the unit;
- C a live-in aide may only reside in the unit with pre-approval. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker. The verification provider must certify that a live-in aide is needed for the care of the family member.

## 2. Income Eligibility

Family income must fall within the applicable Very Low-Income limits as published by the Department of Housing and Urban Development. Some families may qualify if they are Low-Income under these circumstances:

- a. A low-income family that is "continuously assisted" under the 1937 Housing Act.
- b. A low-income family physically displaced by rental rehabilitation activity under 24 CFR 511.
- c. A low-income non-purchasing family residing in a HOPE I (HOPE for Public and Indian Housing Homeownership) or HOPE 2 (HOPE for Multifamily Units) Project.
- d. A low-income non-purchasing family residing in a project subject to a homeownership program under 24 CFR 248.173.
- e. A low-income family displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.
- f. For the pre-merger certificate program *only* a low-income family residing in a HUD-owned multi-family rental housing development when HUD sells, forecloses, or demolishes the development.

## 3. Restrictions on Assistance to Non-citizens or Eligible Immigration Status Requirements

- a. Required Documentation
  - C Section 8 programs are covered under Section 214 of the Housing and Community Development Act of 1980, which makes financial

assistance contingent upon the submission of verifiable evidence of citizen or eligible non-citizen status.

- C Families must submit evidence of citizenship or eligible non-citizen status. A family consisting of members with both eligible and ineligible status may be eligible for pro-rated assistance.
- C Verification of evidence of eligible non-citizen status is necessary to determine whether or not the applicant/participating family is eligible for continuing assistance or admittance to the program. Families will be required to submit a declaration for all members who claim eligible status and/or provide a listing of those members who do not claim eligible status.
- C Non-citizen students do not have eligible status, nor does their non-citizen spouse and/or minor children accompanying or joining the non-citizen student. A citizen spouse or minor children of a citizen spouse and non-citizen student are eligible for assistance, however;
- C Eligible immigration status includes the following categories:
  - S Citizens or national of the United States;
  - S Non-citizens with status in one of the following categories:
    - < A non-citizen admitted to the U.S. for permanent residence under Section 101(a)(20) of the Immigration and Nationality Act (INA); as an immigrant under Section 101(a)(15) or as a special agricultural worker under Section 120 or 210A of the INA;
    - < A non-citizen who entered the U.S. before January 1, 1972, (or such later date as enacted by law), and who (1) has continuously maintained residence in the U.S. since then, (2) who is not ineligible for citizenship, and (3) who has been deemed to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General under Section 249 of the INA;
    - < A non-citizen admitted to the U.S. with refugee status under Section 207 of the INA, or with asylum status under Section 208 of the INA, or admitted before April 1, 1980 under Section 203(a)(7) of the INA;
    - < A non-citizen admitted to the U.S. with parole status under Section 212(d)(5);
    - < A non-citizen lawfully present in the U.S. as a result of the Attorney General's withholding deportation under Section 243(h) of the INA (threat to life or freedom); or
    - < A non-citizen admitted for temporary or permanent residence under Section 245A of the INA.
  - S Evidence of citizenship or eligible non-citizen status shall consist of the following documents or such other documents as deemed acceptable by HUD or the INS:
  - S For citizens: a signed Declaration of U.S. citizenship;
  - S For all other non-citizens:
    - < A signed Declaration of eligible immigration status;

- < The INS documents listed in Handbook 7465.7, Chapter 6, Section 6-4 (or any other documents determined by the INS to be acceptable evidence and announced by notice in the Federal Register); and
- < A signed Verification Consent Form.

**S** Documents submitted by an applicant family to verify eligible immigration status will be first verified using the INS Systematic Alien Verification for Entitlements (SAVE) system. If the SAVE system does not provide verification, a secondary manual search of INS records will be instituted by the PHA. If both searches fail to verify eligibility, the family will be notified and will be given the option of requesting an appeal to the INS and/or a PHA informal hearing.

**b. Ineligible Immigration Status**

Families determined to be ineligible when the evidence of citizenship or eligible non-citizen status submitted by a head of household or spouse cannot be verified either by PHA's preliminary inquiry nor by the INS secondary search will be notified in writing that the individual or family has been determined ineligible.

Families determined ineligible due to lack of citizenship or non-eligible citizenship status may request an appeal to the INS according to 24 CFR 5.514(e) and may request an informal hearing with the PHA. Applicant families may request to an informal as described in Section 9-2 (c)(2) of Handbook 7465.7 either upon the completion of the INS appeal or in place of the INS appeal.

Assistance to an applicant may be delayed if the INS appeal process has been concluded, but may not be denied until after the conclusion of the PHA informal hearing process, if an informal hearing is requested by the applicant.

**4. Drug and Alcohol-Related Requirements**

- a. Family has not engaged in drug-related or violent activity as outlined in the regulations, and the 1996 "One Strike You're Out Policy", detailed in PIH Notice 96-27, dated May 15, 1996. The notice further clarifies that any family member's activity which shows a pattern of abuse of alcohol may also result in the denial of assistance to the family. PHA may deny assistance if the preponderance of the evidence indicates that a family member has engaged in such activity, regardless of whether the family member has been arrested or convicted.
- b. Corroboration of this activity may include, but is not limited to, arrest records, police reports, conviction records, and personal testimony.

- c. The PHA may waive the requirement to deny admission to the family only if the person can demonstrate to the PHA's satisfaction that the person is no longer engaging in illegal use of a controlled substance or abuse of alcohol; and:
  - C has successfully completed a supervised drug or alcohol rehabilitation program;
  - C has otherwise been rehabilitated successfully;
  - C is participating in a supervised drug or alcohol rehabilitation program certified by the State.
- d. Family members must comply with PHA or HUD requests to provide documentation or release to obtain documentation.
- e. If any family member has been evicted from public housing, Indian Housing, or any Section 8 program because of drug-related criminal activity they are ineligible for admission to the Section 8 programs for a three (3)-year period beginning on the date of such eviction.

#### D. SCREENING OF APPLICANTS

- 1. In an effort to prevent future drug-related and other criminal activity as well as other patterns of behavior that pose a threat to health, safety or right to peaceful enjoyment of the premises by other resident or PHA employees, this PHA will endeavor to screen applicants as thoroughly and fairly as possible.
- 2. Such screening will apply to all adult members of the household including juveniles fifteen (15) years or older.
- 3. Pursuant to the Housing Opportunity Program Extension Act of 1996 a criminal history report will be obtained from the law enforcement agency according to the following procedure:
  - a. For all applicable household members, the PHA will submit to law enforcement agency name, sex, race, date of birth and social security number.
  - b. Based on the identifiers submitted, the law enforcement agency will provide this PHA with any criminal history conviction record information and outstanding warrants that are found on the law enforcement agency Computerized Criminal History database and the appropriate Crime Information Center.
  - c. The law enforcement agency may also search the National Crime Information Center (NCIC) for criminal information outside of the state. If a record exists, the law enforcement agency will notify this PHA that

such information was found, and will provide the PHA with a copy of the information.

- d. If the person disputes or contests the criminal history report received by this PHA, the PHA may at this time determine that a fingerprint check is necessary.
  - e. In no case will the applicant be charged for the cost of the criminal history checks.
- 4. If the information is revealed in the criminal history record that would cause this PHA to deny assistance to the household, the PHA shall provide a copy of the record to the person for whom the record was received.
  - 5. If the person disputes the information, he/she shall be given an opportunity for an informal hearing according to the PHA's hearing procedure outlined in the PHA's Section 8 Administrative Plan.
  - 6. Evidence of drug-related and/or other criminal activity which would pose a threat to the health, safety or right to peaceful enjoyment of the premises by other residents or PHA employees shall be considered grounds for denial of assistance. Drug-related activity is defined as the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use a controlled substance.
  - 7. Reasonable cause (e.g., information from the criminal report, credible informants, police reports) to believe that a person's pattern of alcohol abuse would pose a threat to the health, safety or right to a peaceful enjoyment of the premises by other residents or PHA employees shall be considered grounds for denial of assistance.
  - 8. In both of the previous paragraphs above, the PHA may waive its policy of denying assistance if the person demonstrates to the PHA's satisfaction that he/she is no longer engaging in illegal use of a controlled substance or abuse of alcohol and:
    - a. has successfully completed a supervised rehabilitation program;
    - b. has otherwise been rehabilitated successfully; or
    - c. is currently participating in a supervised rehabilitation program.
  - 9. Persons evicted from federally-assisted housing, Indian Housing, Section 23 or any Section 8 Housing Program because of drug-related criminal activity are ineligible for admission to the Section 8 Program for a five (5) year period beginning on the date of such eviction or termination. This may be waived if:

- a. person demonstrates successful completion of a rehabilitation program by the PHA; or
  - b. the circumstances leading to the conviction no longer exist (e.g., the individual involved in drugs is no longer a household member because of incarceration).
10. In evaluating evidence of negative past behavior, the PHA will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or the likelihood of favorable conduct in the future which could be supported by evidence of rehabilitation.
11. If, at any time during the program participation, the PHA has reasonable cause (e.g., newspaper articles, credible informants, police reports) to believe that a household member is engaged in drug-related or other criminal activity which would pose a threat to the health, safety, or right to peaceful enjoyment of the premises by other residents or PHA employees, the PHA may run a subsequent criminal check of that household member.
12. The PHA will also order a criminal history of any individual or individuals age fifteen (15) years or older who are added to the lease after initial occupancy.
13. Records Management
- a. All criminal reports received will be maintained confidentially, not misused, or improperly disseminated, and the utmost security will be maintained.
  - b. All criminal reports, while needed, will be housed in a locked file with access restricted to individuals responsible for screening and determining eligibility and to the Executive Director.
  - c. Misuse of the above information by any employee shall be grounds for termination of employment.
  - d. If the applicant is determined to be eligible, the criminal report shall be shredded as soon as the applicant is housed. If the applicant is denied assistance, the criminal record information shall be shredded immediately upon completion of the hearing or due process procedures and a final decision has been made.
  - e. The PHA will document in the applicant's file the circumstances of the criminal report and the date the report was destroyed.

#### E. INELIGIBILITY DETERMINATION



1. Families determined to be ineligible due to the definition of family, income, or drug-related criminal or violent criminal activity, or a pattern of alcohol abuse, will be notified in writing that they do not qualify for the program. Families will be notified of the right to have an Informal Review.
2. The Informal Review will be conducted according to regulatory requirements and as outlined further in this Administrative Plan.
3. If the applicant or household members refuse to supply information required for Social Security number and/or signing HUD form 9886 to obtain other income information, the family will be determined to be ineligible. The informal review process will apply to an applicant family who has been denied assistance on these grounds.

#### F. SELECTION FROM WAITING LIST

1. Basic Selection Policy
  - a. Applicants shall be selected in order of date and time of the initial application with consideration given to the regulations governing income targeting as well as any adopted local preference.
  - b. Applicants whose income is greater than thirty percent (30%) of the areas median income may be passed on the waiting list pursuant to the income targeting requirements detailed below.
  - c. Applicants who applied earlier than applicants who are eligible for local preferences may be passed on the waiting list.
  - d. PHA's may not select applicants from the waiting list in an order different from the selection procedures "for the purpose of selecting higher income families" for the program.
2. Income Targeting Pursuant to the Quality Housing and Work Responsibility Act
  - a. Seventy-five percent (75%) of all new admissions shall be families whose income is below thirty percent (30%) of the area median income. A "new admission" shall be defined as an applicant being offered assistance.
  - b. A PHA can reduce its required public housing admission of families with income below thirty percent (30%) of median income in a given fiscal year by admitting more extremely low-income families over the minimum in their Section 8 program. This fungibility exception is limited to ten percent

(10%) of the number of families receiving Section 8 assistance from the PHA in a fiscal year or the number of public housing units of the PHA that are in developments located in census tracts having a poverty rate of thirty percent (30%) of the area median income, whichever is less.

- c. Other admissions must be at eighty percent (80%) Adjusted Monthly Income.
- d. Two (2) or more PHAs in same jurisdiction must jointly meet goals.
- e. For further Income Targeting clarification refer to 24 CFR Sec. 982.201.

#### G. MONITORING OF SELECTION AND LEASING

In compliance with SEMAP requirements, a statistical report is prepared each month to insure that PHA has complied with current regulations affecting the waiting list and selection as it relates to income requirements, single elderly and non-elderly families, and the local preference selection of families.

#### H. SPECIAL PURPOSE FUNDING ADMISSIONS

HUD may provide funding to serve a targeted population. When HUD targets funding of assistance for a special populace the PHA may accept an application and place the applicant on the waiting list even though the waiting list may be closed. Since HUD specifies the special population, there is no limit to the number of admissions except for the limit as defined by HUD in establishing the special population.

V. VERIFICATION OF INCOME AND DETERMINATION OF TOTAL TENANT PAYMENT

A. POLICIES CONCERNING VERIFICATION

1. General Policy

- a. The PHA verifies family income, family composition, status of full-time students, value of assets, factors allowing a preference, and other factors relating to eligibility determinations before an applicant is issued assistance.
- b. Inasmuch as possible, third-party (independent) verifications sent by mail are used. If third-party verification is impossible, the PHA may use the Review of Documents method of verification. And if that method is impossible, the PHA may use the Notarized Statement by Applicants method.
- c. The PHA may request applicants and residents to bring in documentation with them which will be used if the third-party verification is not received back from the source within two (2) weeks.
- d. See “Annual Income” in the Definitions section of this Administrative Plan.
- e. According to the preamble, the 120 day period for which income verifications are valid is HUD guidance - not a requirement - and therefore, PHA’s may exceed this time frame “ in order to facilitate conversion to the Housing Choice Voucher Program.

2. Review of Documents

- a. In the event that third-party written or oral verification is unavailable, or the information has not been verified by the third-party within two (2) weeks, the PHA will document the file accordingly and utilize documents provided by the family as the primary source if the documents provide complete information.
- b. The following documents may be accepted from the family provided that the documents are such that tampering would be easily noted:
  - c Printed wage stubs;
  - c Computer printouts from the employer;
  - c Signed letter (provided that the information is confirmed by phone);
  - c Other documents noted in this chapter as acceptable verification.
- c. Faxed documents may be accepted.
- d. Photocopies may be accepted.

3. Self-Certification

When verification cannot be made by third-party verification or review of documents, families will be required to submit a self-certification.

4. Release of Information

- a. The family will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice.
- b. Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance because it is a family obligation to supply any information and to sign consent forms.

5. Acceptable Forms of Verification

- a. Employment
  - ⌄ PHA Verification of Employment form;
  - ⌄ Letter from employer (letterhead);
  - ⌄ Copy of three (3) consecutive check stubs;
  - ⌄ Tax forms.
- b. Asset Income
  - ⌄ Copy of bank statement;
  - ⌄ Copy of year end/quarterly statement;
  - ⌄ Copy of stock/bond certificate.
- c. TANF
  - ⌄ Copy of award letter;
  - ⌄ Letter from Department of Human Resources;
  - ⌄ Computer print-out or computer generated forms.
- d. Insurance
  - ⌄ Copy of policy;
  - ⌄ Copy of coupon book;
  - ⌄ Copy of six (6) consecutive check stubs.
- e. Child Care
  - ⌄ PHA Verification form;
  - ⌄ Letter from care person;
  - ⌄ Personal Declaration.
- f. S.S.I.
  - ⌄ Third-Party Query card;
  - ⌄ Copy of award letter;

- Ⓒ Computer report for cross-matching.
- g. School Enrollment
  - Ⓒ PHA Verification form;
  - Ⓒ Copy of school enrollment;
  - Ⓒ Letter from school.
- h. Military/Veteran Benefits
  - Ⓒ Copy of award letter;
  - Ⓒ Copy of military allotment.
- i. No Income/Other Circumstance
  - Ⓒ Personal Declaration;
  - Ⓒ Tax Form (Optional).
- j. Assets Disposed/Less than Face Value
  - Ⓒ Family Certification.
- k. Child Support
  - Ⓒ Computer printout from Attorney General;
  - Ⓒ Notarized statement from payee;
  - Ⓒ Separation or settlement agreement.
- l. Social Security
  - Ⓒ Computer printout report;
  - Ⓒ Copy of social security card;
  - Ⓒ Award letter from Social security Administration;
  - Ⓒ Third-Party Query card (TPQY) statements.
- m. Identification
  - Ⓒ Copy of Driver's License/ID;
  - Ⓒ Copy of picture identification;
  - Ⓒ Copy of alien registration.
- n. Contributions
  - Ⓒ Notarized statement from payee;
  - Ⓒ Personal Declaration.
- o. Family/Custody
  - Ⓒ Birth certificates;
  - Ⓒ Custody decree from court;
  - Ⓒ Power of Attorney;
  - Ⓒ Notarized statement granting custody;
  - Ⓒ Baptismal certificates;
  - Ⓒ Social service records.
- p. Unemployment/Workers' Compensation

- C Copy of award;
  - C Printout from the state Employment Commission.
- q. Self-Employment
  - C Federal Tax return, IRS form 1040 (including Schedule C or E, Rental Property;
  - C Financial statements prepared by C.P.A. firm;
  - C Receipts;
  - C Personal Declaration.
- r. Prescription
  - C PHA Verification form;
  - C Pharmacy printout;
  - C Receipts.
- s. Medical Expenses
  - C Families who claim medical expenses or expenses to assist a person(s) with disability will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:
    - S Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, of: (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.
    - S Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.
    - S Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next twelve (12) months. A computer printout will be accepted.
    - S Written Certification that a larger unit is necessary must be obtained from a reliable knowledgeable professional.
- t. Attendant Care:
  - C A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.
  - C Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.
- u. Assistance to Persons with Disabilities
  - C Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or

- the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently and independently to enable another family member to be employed,
  - C Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.
- v. Eligible Immigration
- C The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.
    - S Resident Alien Card (I-551);
    - S Alien Registration Receipt Card (I-151);
    - S Arrival-Departure Record (I-94)
    - S Temporary Resident Card (I-688);
    - S Employment Authorization Card (I-688B);
    - S Receipt issued by INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified.
- w. Social Security Numbers
- C Social security numbers must be provided as a condition of eligibility for all family members age six (6) and over if they have been issued a number. Verification of Social Security numbers will be done through a Social Security Card issued by the Social Security Administration, If a family member cannot produce a social Security Card, only the documents listed below showing his or her Social Security Number may be used for verification. The family is also required to certify in writing that the document(s) submitted in lieu of the Social Security card information provided is/are complete and accurate:
    - S A driver's license;
    - S Identification card issued by a Federal, State or local agency;
    - S Identification card issued by medical insurance company or provider (including Medicare and Medicaid);
    - S An identification card issued by an employer or trade union;
    - S An identification card issued by a medical insurance company;
    - S Earnings statements or payroll stubs;
    - S Bank Statements;
    - S IRS Form 1099;
    - S Benefit award letters from government agencies;
    - S Retirement benefit letter;
    - S Life insurance policies;
    - S Court records such as real estate, tax notices, marriage and divorce, judgment or bankruptcy records;
    - S Verification of benefits or Social Security Number from Social Security Administration.

- C New family members ages six (6) and older will be required to produce the Social Security Card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate.
- C If an applicant or participant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or participant must sign a certification to the effect. The applicant/participant or family member will have an additional thirty (30) days to provide proof of the Social Security Number.
- C In the case of an individual at least 62 years of age, an extension may be granted for an additional 60 days to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's assistance will be terminated.
- C If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

#### 6. Zero Income

- a. If a family reports that it does not have an income, the adult members will be required to sign a certification.
- b. The family may be required to complete and sign family expense/resource questionnaire.
- c. The family may be required to be re-certified at least every thirty (30) days.

#### 7. Absence of Family Member

If an adult family member who was formerly a member of the household is reported permanently absent by the family, the following verifications may be used:

- a. divorce proceedings;
- b. legal separation agreement;
- c. order of protection/restraining order obtained by one family member against another;
- d. proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement, if available;
- e. statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location;



- f. if the adult family member is incarcerated, a document from the Court or prison may be obtained stating how long they will be incarcerated;
- g. if no other proof can be provided, self-certification from the head of household, the spouse or co-head, if the head is the absent member, may be accepted.

## B. DETERMINATION OF TOTAL TENANT PAYMENT (TTP)

### 1. Authority

Income and TTP are calculated in accordance with 24 CFR Part 5, Subparts E and F and other applicable regulations and HUD Notices.

### 2. Minimum Rent

- a. Families assisted under the Section 8 Program are required to pay a minimum rent of no more than twenty five dollars including the utility allowance.
- b. The minimum rent may be waived for any family with a financial hardship. Financial hardship status will be granted for a period of ninety (90) days. Hardships may include but not be limited to situations in which families are awaiting eligibility determination to receive Federal, state or local assistance, loss of employment death or other situations.

### 3. Income Calculation Methods

- a. The income anticipated for the next twelve (12) months should be calculated.
- b. Verified income may be multiplied by twelve (12) months or fifty-two (52) weeks to be annualized.
- c. Verified income that has a history of varying may be averaged and multiplied by twelve (12) months or fifty-two (52) weeks.

### 4. Income Exclusions and Adjustments

See the “Adjusted Income” and the “Annual Income Exclusions” definitions in the Definitions section of this Administrative Plan.

### 5. Persons Confined to Nursing Homes

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household the following methodologies may be considered:

- a. Exclude the income of the person permanently confined to the nursing home and do not give the family deductions for medical expenses of the confined family member.
- b. Include the income of the person permanently confined to the nursing home and give the family the medical deductions allowable on behalf of the person in the nursing home.
- c. Exclude the income and deductions of the member if his/her income goes directly to the facility.
- d. Include the income and deductions of the member if his/her income goes to a family member.

6. Alimony and Child Support

- a. Regular alimony and child support payments are counted as income for calculation of Total Tenant Payment.
- b. If the amount of child support or alimony received is less than the amount awarded by the court, the amount awarded by the court may be used unless the family can verify that they are not receiving the full amount and verification of item(s) below are provided.
  - C Verification from the agency responsible for enforcement or collection;
  - C The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

## VI. BRIEFING OF FAMILIES AND ISSUANCE OF CERTIFICATES OR VOUCHERS

### A. BRIEFING NOTICES

Notices of the briefing session are sent to eligible candidates at least fourteen (14) days in advance of the briefing session. If the applicant fails to appear, he/she will be rescheduled for the next briefing session. If the applicant fails to appear a second time, the application will be withdrawn. The applicant family can reapply when the PHA is accepting applications.

### B. CONTENTS OF THE BRIEFING

1. The briefing must include information on the following subjects:

- a. A description of how the program works;
- b. Family and owner/landlord responsibilities;
- c. Where the family may lease a unit, including renting a dwelling unit inside or outside the PHA's jurisdiction;
- d. An explanation of how portability works:

The PHA may not discourage the family from choosing to live anywhere in the PHA's jurisdiction, or outside the PHA's jurisdiction under portability procedures.

- e. An explanation of the advantages of moving to areas outside of poverty or minority concentration.

2. In briefing a family that includes any disabled person, the PHA must take appropriate steps to ensure effective communication in accordance with 24 CFR 8.6.

### C. CONTENTS OF BRIEFING PACKET

When a family is selected to participate in the program, the PHA must give the family a packet that includes information on the following subjects:

1. The initial time to locate a unit and PHA policy on any extensions or suspensions of the term. If the PHA allows extensions, the packet must explain how the family can request an extension;
2. How the PHA determines the housing assistance payment for a family including proration of assistance for mixed families who have one or more ineligible family members according to the restrictions on assistance to non-citizen rule;

3. For the voucher program, information on the payment standard and the PHA utility allowance schedule (if certification prior to 10/1/99);
4. How the PHA determines the maximum rent for an assisted unit;
5. What the family should consider in deciding whether to lease a unit, including:
  - C The condition of a unit;
  - C Whether the rent is reasonable;
  - C The cost of any resident-paid utilities and whether the unit is energy-efficient; and
  - C The location of the unit, including proximity to public transportation, centers of employment, schools and shopping.
6. Where the family may lease a unit. For a family that qualifies to lease a unit outside the PHA's jurisdiction under portability procedures, the information packet must include:
  - C an explanation of how portability works; and
  - C a list of neighboring housing agencies with the name, address and telephone number of portability contact person at each for use by families who move under portability.
7. The HUD-required "lease addendum". The lease addendum is the language that must be included in the lease;
8. The form of Request for Lease Approval, and an explanation of how to request PHA approval to lease a unit;
9. A statement of the PHA policy on providing information about a family to a prospective owners/landlords;
10. PHA subsidy standards, including when the PHA will consider granting exceptions to the standards;
11. The HUD brochure on how to select a unit;
12. The HUD lead-based paint (LBP) brochure;
13. Information on Federal, state and local equal opportunity laws, and a copy of the housing discrimination complaint form;
14. A list of owners/landlords or other parties known to the PHA who may be willing to lease a unit to the family, or help the family find a unit;
15. Notice that if the family includes a disabled person, the family may request a current listing of accessible units known to the PHA that may be available;

16. Family obligations under the program;
17. The grounds on which the PHA may terminate assistance for a participant family because of family action or failure to act;
18. PHA informal hearing procedures. This information must describe when the PHA is required to give a participant family the opportunity for an informal hearing, and how to request a hearing;
19. A map showing areas representing various income levels of the jurisdiction and surrounding areas for the purpose of expanding housing opportunities for families.
20. A list of properties or property management organizations that own or operate housing units outside areas of poverty or minority concentration;
21. HQS Checklist;
22. Procedures for notifying the PHA and/or HUD of program abuses such as side payments, extra charges, violations of tenant rights, and owner failure to repair;
23. Requirements for reporting changes between certifications;
24. Information on security deposits.

#### D. EXTENSIONS AND SUSPENSIONS

1. The initial period to locate a unit expires at the end of sixty (60) days from the date of issuance, unless the family has submitted a Request for Lease Approval. In order to have the time extended for a period not to exceed an additional sixty (60) days, the family must request the extension in writing. All requests for extensions should be received prior to the expiration date.
2. The PHA staff will review with the family the efforts it has made to find a suitable dwelling unit and the problems it has encountered. The staff shall offer advice or assistance which may be helpful in assisting the family locate appropriate and affordable housing. If the PHA determines there is a reasonable possibility that the family cannot locate suitable housing, the PHA will grant an extension for an additional amount of time. In no event shall the time be extended beyond the maximum time limit allowed by Federal regulations.
3. The PHA may grant a family a suspension of the term if the family has submitted a Request for Lease Approval during the term.

#### E. OCCUPANCY STANDARDS (pursuant to Federal Register, December 22, 1998)

The PHA's occupancy standards are listed below:

Size	Minimum # of Persons	Maximum # Persons
0 BR	1	1
1 BR	1	3
2 BR	2	5
3 BR	3	7
4 BR	4	9

Exceptions to the above will be reviewed by the Executive Director and may be allowed depending upon individual circumstances.

## VII. HOUSING QUALITY STANDARDS AND INSPECTIONS

### A. APPLICABLE QUALITY STANDARDS

Any housing unit contracted with the PHA will meet the minimum Housing Quality Standards (HQS) as set forth in 24 CFR 982.401. Local housing codes adopted by PHA must meet or exceed HQS requirements. Codes can not restrict housing choice.

### B. INITIAL HQS INSPECTION

1. The Initial Inspection will be conducted to:
  - a. Determine if the unit and property meet the HQS defined in this Plan.
  - b. Document the current condition of the unit as to assist in future evaluations whether the condition of the unit exceeds normal wear and tear.
  - c. Document the information to be used for determination of rent-reasonableness.
2. If the unit fails the initial Housing Quality Standards inspection, the family and owner/landlord will be advised to notify the PHA once repairs are completed.
3. The owner/landlord will be given up to thirty (30) days to correct the items noted as Fail, at the Inspector's discretion, depending on the amount and complexity of work to be done.
4. The owner/landlord will be allowed up to two (2) re-inspections for repair work to be completed.
5. If the time period given by the Inspector to correct the repairs has elapsed, or the maximum number of failed re-inspections has occurred, the family may select another unit.
6. For PHA's with 1250 or less units, the inspection should be made within fifteen (15) days from the date the unit is available for inspection.
7. For PHA's with 1250 or more units, the inspection should be made with a "reasonable period" of request.
8. PHA and local government certification that SRO's meet local health and safety standards have been eliminated.

### C. ANNUAL HQS INSPECTIONS

1. Annual inspections shall be conducted 90-120 days prior to the anniversary month of the contract.
2. HQS deficiencies which cause a unit to fail must be corrected by the owner/landlord unless it is a fail for which the resident is responsible.
3. The family must allow the PHA to inspect the unit at reasonable times with reasonable notice. [24 CFR 982.51 (d)]
4. Reasonable hours to conduct an inspection are between 9:00 a.m. and 4:00 p.m.
5. The family shall be notified in writing at least one (1) day prior to the inspection.
6. If the family does not contact the PHA to reschedule the inspection, or if the family misses two (2) inspection appointments, the PHA will consider the family to have violated a Family Obligation and their assistance may be terminated in accordance with the termination procedures in this Plan.
7. Time Standards for Repairs
  - a. Life-threatening HQS fail items must be corrected by the owner/landlord or resident, if responsible, within twenty-four (24) hours of notification.
  - b. For non-emergency items, repairs must be made within thirty (30) days.
  - c. Extensions may be granted in lieu of abatement in the following cases:
    - C There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services;
    - C The repairs are expensive (such as exterior painting or roof repair) and the owner/landlord needs time to obtain the funds;
    - C The repairs must be delayed due to climate conditions;
    - C The extension will be made for a period of time not to exceed thirty (30) days. At the end of that time, if the work is not completed, the HAP may be abated or the contract terminated.

### D. MOVE OUT/VACATE

A move out inspection will be performed only at the owner's/landlord's request if a claim is to be submitted for contracts effective before 10/2/95 or if an investigation concerning potential violation of the family obligations is in progress.



#### E. SPECIAL/COMPLAINT INSPECTIONS

1. If at any time the family or owner/landlord notifies the PHA that the unit does not meet Housing Quality Standards, an inspection may be conducted.
2. The PHA may also conduct a special inspection based on information from third-parties such as neighbors or public officials.
3. The PHA may inspect only the items which were reported, but if the Inspector notices additional deficiencies that would cause the unit to fail HQS, the responsible party will be required to make the necessary repairs.
4. The inspector will provide the owner/landlord with a notice and inspection report, identifying the HQS violations, including the appointment to re-inspect the unit. The appointment for the re-inspection will coincide with the conclusion of the notice given.
5. If the anniversary date is within 120 days of a special inspection, the special inspection may be categorized as "Annual" and all annual procedures will be followed.

#### F. QUALITY CONTROL INSPECTIONS

1. Quality Control inspections will be performed by a supervisor or other qualified staff member using the same minimum sample size as is now required for other supervisory quality control reviews pursuant to the SEMAP regulations. The purpose of Quality Control inspections is to ascertain that each Inspector is conducting accurate and complete inspections, and to ensure that there is consistency among Inspectors in application of the HQS.
2. The results of the inspection are reviewed with the Inspector.
3. Housing Quality Standards Control Inspections Reports are compared with Annual Inspection Reports recently completed by inspection staff. Discrepancies between the two (2) inspection reports are evaluated. Discrepancies categorized as Inspector error are catalogued and reviewed with the Inspector. The review is to be instructional and informational, not punitive.

#### G. ACCEPTABILITY CRITERIA CHANGES EFFECTIVE OCTOBER 2, 1995

1. A microwave oven may be substituted for resident-supplied oven and stove or range.
2. A microwave oven may be substituted for owner/landlord-supplied oven and stove or range if the resident agrees and microwave ovens are furnished instead of an oven and stove or range to both subsidized and unsubsidized residents.

3. Windows that are nailed shut are acceptable only if they are not necessary for ventilation or an alternate means of exit in the event of a fire.
4. Lead-based paint is defined as a paint surface with lead content greater than or equal to 1 mg/cm<sup>2</sup>, 0.5% weight, or 5000 parts per million.
  - a. Lead-based paint requirements are not applicable to SRO, Zero Bedroom, and Elderly units, units built after 1978, or units not occupied by children under the age of six (6), and units certified to be free of lead-based paint.
  - b. An elevated blood level of 20 ug/dl or greater than 1 test, or 15-19 ug/dl in two (2) consecutive tests three (3) to four (4) months apart.
  - c. The PHA must inspect all painted surfaces within the unit, entrance and hallway providing access to the unit and exterior building surfaces up to five (5) feet from the floor or ground that are readily accessible to children for defective paint.
  - d. Treatment of defective paint in applicable units and on applicable surfaces. Defective paint on inspected surfaces must be treated if:
    - c more than 10 Sq. Ft. on an exterior wall;
    - c more than 2 Sq. Ft. of large surface areas such as ceilings, floors, doors, interior (but not exterior) walls, decks and stairs.

#### H. LIFE-THREATENING HQS DEFICIENCIES

1. Items of an emergency nature must be corrected by the owner/landlord or resident, whoever is responsible, within twenty-four (24) hours of notice by the Inspector.
2. The PHA may give a short extension (not more than 72 additional hours) whenever the responsible party cannot be notified or it is impossible to effect the repair within the twenty-four (24)-hour period.
3. If the emergency repair item(s) are not corrected in the time period required by the PHA and the owner/landlord is responsible, the housing assistance payment will be abated and the HAP contract will be terminated.
4. If the emergency repair item(s) are not corrected in the period required and it is an HQS breach which is a family obligation, assistance to the family may be terminated.

#### I. CONSEQUENCES IF OWNER/LANDLORD IS RESPONSIBLE (NON-EMERGENCY ITEMS)

1. When it has been determined that a unit on the program fails to meet Housing Quality Standards, and the owner/landlord is responsible for completing the

necessary repair(s) in the time period specified by the PHA, the assistance payment to the owner/landlord will be abated.

- a. A Notice of Abatement will be sent to the owner/landlord, and the abatement will be effective from the day after the date of the failed inspection. The notice is generally for thirty (30) days, depending on the nature of the repair(s) needed.
- b. The PHA may inspect abated units within three (3) days of the owner's/landlord's notification that the work has been completed.
- c. If the owner/landlord makes repairs during the abatement period, payment will resume on the day the unit passes inspection.
- d. The PHA will advise owners/landlords and resident of when the re-inspection will take place and request owner/landlord/resident to be present.
- e. No retroactive payments will be made to the owner/landlord for the period of time the rent was abated and the unit did not comply with HQS.

## 2. Termination of Contract

- a. If the owner/landlord is responsible for repairs, and fails to correct all the deficiencies cited prior to the repair deadline or extension, the contract may be terminated.
- b. If repairs are completed before the effective termination date, the termination may be rescinded if the resident chooses to remain in the unit.

## J. DETERMINATION OF RESPONSIBILITY

1. Certain HQS deficiencies are considered the responsibility of the family:
  - a. Resident-paid utilities not in service;
  - b. Failure to provide or maintain family-supplied appliances;
  - c. Damage to the unit or premises caused by a household member or guest beyond normal wear and tear:

, “Normal wear and tear” is defined as items which would be charged against the resident’s security deposit under state law or court practice.
2. The owner/landlord is responsible for all other HQS violations.
3. The owner/landlord is responsible for vermin infestation even if caused by the family’s living habits. However, if such infestation is serious and repeated, it may be considered a lease violation and the owner/landlord may evict for serious

or repeated violation of the lease. The PHA may terminate the family's assistance on that basis.

4. The Inspector will make a determination of owner/landlord or family responsibility during the inspection.
5. If the family is responsible but the owner/landlord carries out repairs, the owner/landlord will be encouraged to bill the family for the cost of the repairs and the family's file will be noted.

K. CONSEQUENCES IF FAMILY IS RESPONSIBLE FOR HQS DEFICIENCIES

1. If non-emergency violations of HQS are determined to be the responsibility of the family, the family shall make any repair(s) or corrections within thirty (30) days. If the repair(s) or correction(s) are not made in this time period, the PHA will terminate assistance to the family. Extensions in these cases must be approved by the Executive Director. The owner's/landlord's rent will not be abated for items that are the family's responsibility.
2. If the resident is responsible and corrections are not made, the HAP Contract will terminate when assistance is terminated.

VIII. APPROVAL/DISAPPROVAL OF REQUEST FOR LEASE APPROVAL, RENT REASONABLENESS, EXECUTION OF HAP CONTRACT, RENT INCREASE, PAYMENT STANDARDS

A. REQUEST FOR LEASE APPROVAL

1. The Request for Lease Approval (RLA) must be submitted by the family during the term of the assistance.
2. The Request for Lease Approval must be signed by both the owner/landlord and the family holder before it can be accepted the PHA.
3. The family is not permitted to submit more than one RLA at a time.
4. The RLA will be reviewed to determine whether or not it is approvable.
5. For over-FMR tenancies, the shopping incentive has been removed. It was never a part of the certificate over-FMR tenancies and will not be available with the conversion to the voucher program.

B. RENT REASONABLENESS DETERMINATION AND DOCUMENTATION

1. The PHA will not approve a lease until it is determined that the initial rent to the owner/landlord is a reasonable rent. The PHA must also determine the reasonable rent before any increase in the rent is approved, and if there is a five percent (5%) decrease in the published FMR in effect sixty (60) days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary.
2. The PHA also will determine rent reasonableness when owners/landlords requests an increase in the rent for a Voucher unit.
3. Local government or independent entities (approved by HUD) must perform HQS inspections and rent reasonableness determinations for PHA-owned units leased by Voucher holders:
  - Ⓒ the PHA will pay expenses associated with the performance;
  - Ⓒ the family cannot be charged for these services;
  - Ⓒ the PHA may use administrative fee income to compensate the independent agencies for their services.
4. The following items will be used for rent reasonableness documentation:
  - Ⓒ Size (number of bedrooms/square footage);
  - Ⓒ Location;
  - Ⓒ Quality;
  - Ⓒ Amenities (bathrooms, dishwasher, air conditioning, etc.);

- ⌄ Housing Services;
- ⌄ Age of unit;
- ⌄ Unit Type;
- ⌄ Utilities;
- ⌄ Maintenance.

5. The following basic methodology may be used to certify that the requested rent is reasonable in relation to rents being charged to unassisted units:
  - a. PHA collects the required data concerning the unit to be assisted from the Request for Lease Approval and during the inspection.
  - b. Data from comparable units may be collected from the following sources:
    - ⌄ Multiple Listing Service;
    - ⌄ Newspapers and owner/landlord interviews;
    - ⌄ Other methods as needed;
    - ⌄ Owner/agent questionnaires;
    - ⌄ On-site visits.
  - c. Data concerning at least three (3) comparables and the assisted unit may be recorded on a Rent Reasonableness Determination form (RRD). This form may be attached to the inspection records.
  - d. The data on the RRD form is analyzed and an approvable rent is determined and recorded on the RRD with the date and name of the staff person.
  - e. The analysis may either utilize the appraisal method comparing point or dollar values or the standard deviation method using rents adjusted for all of the comparable items.
  - f. Rent rolls may be requested from owner/agents if needed to determine that rents charged for unassisted units in a complex are favorably comparable to the assisted unit.
6. The PHA must re-determine rent reasonableness if directed by HUD. The PHA may elect to re-determine rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner/landlord may not exceed the reasonable rent as most recently determined or re-determined by the PHA.
7. The owner/landlord will be advised that by accepting each monthly housing assistance payment he/she will be certifying that:
  1. the rent to owner/landlord is not more than rent charged by the owner/landlord for comparable unassisted units in the premises;

2. the assisted family is currently occupying; and
3. the assisted family is not in violation of lease obligations.

#### C. DISAPPROVAL OF OWNERS/LANDLORDS

The PHA may disapprove an owner/landlord for one or more of the following reasons:

1. The PHA must not approve a unit if it has been informed (by HUD or otherwise) that the owner/landlord is debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24;
2. The owner/landlord has violated obligations under a Housing Assistance Payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f);
3. The owner/landlord has committed fraud, bribery or any other corrupt, criminal or violent criminal activity in connection with any Federal housing program;
4. The owner/landlord has engaged in drug-trafficking;
5. The owner/landlord has a history or practice of non-compliance with the HQS for units leased under the resident-based programs, or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other Federal housing program;
6. The owner/landlord refused, or has a history of refusing, to take action against residents (including household members or guest) who constitute:
  - a. a threat to the health or safety of, or right to peaceful enjoyment of the premises by other residents or employees of the PHA, an owner/landlord, or other manager of the housing;
  - b. threat to the health or safety of, or right to peaceful enjoyment of the residences by persons residing in the immediate vicinity of the premises;
  - c. a threat by being involved in drug-related or violent criminal activity.
7. When directed by HUD, the PHA must not approve a unit if:
  - a. The Federal government has instituted an administrative or judicial action against the owner/landlord for violation of the Fair Housing Act or other Federal equal opportunity requirements, and such actions are pending; or
  - b. A court or administrative agency has determined that the owner/landlord violated the Fair Housing Act or other Federal equal opportunity requirements; or

- c. If the owner/landlord is the parent, child, grandparent, grandchild, sister or brother of the family, unless the PHA determines that approving the unit would provide reasonable accommodations for a family member who is a person with disabilities.

The provision governing PHA disapproval of the owner/landlord does not apply when a family enters into a new tenancy in the same assisted unit. (See 24 CFR Sec. 982.306)

#### D. EXECUTION OF THE LEASE AND CONTRACT

1. The PHA may recommend the use of a standard lease.
2. If the owner/landlord does not use the standard lease, the owner/landlord and resident must execute the HUD mandated Lease Addendum after the owner's/landlord's lease is approved by PHA.
3. The effective date of the lease and HAP Contract shall be on the same date or after the unit passes the HQS inspection.
4. The Lease and Contract should be executed within thirty (30) days of the effective date.
5. The Lease must be consistent with State and local laws.
6. The Lease must be generally applied to unassisted residents.
7. Defines "resident's legal capacity" as having legal capacity under state and local law and that "the resident is bound by the terms of the lease and may enforce the lease against the owner".
8. At a minimum, the Lease must include:
  - a. the residents' and owner's name;
  - b. the term of the lease (and any conditions of renewal);
  - c. the monthly rent to owner;
  - d. specifications regarding which utilities and appliances are furnished by the owner and which by the resident;
  - e. clarifies conditions under which execution of a new HAP contract and HA approval of the lease would be required:
    - C change in owner or tenant provided utilities or appliances;
    - C changes in the term of the lease;



C family move to a new unit in the same building or complex.

9. Change in rent does not necessitate a new contract.

E. RENT INCREASES

1. The owner/landlord must request a rent increase in writing at least sixty (60) days in advance of anniversary date of the contract. The owner/landlord must itemize the reasons and supporting documentation for the proposed increase. The PHA will review each increase to determine whether or not the request is justified. Based on the comparable rent for the unit, and in an amount not to exceed the applicable annual adjustment factor, the owner/landlord will be notified as to what amount the contract rent will be adjusted.

2. The adjustment in the rent will be the lower of:

- C the current rent multiplied by the Annual Adjustment Factor (AAF) published by HUD; or
- C the rent reasonableness determination.

3. Owners/landlords may request and HUD may approve special rent increase pursuant to HAP Contract.

F. MANUFACTURED HOMEOWNERS LEASING PAD

The subsidy amount for expenses associated with pad leasing for mobile homeowners are increased from thirty percent (30%) of the two-bedroom FMR to forty percent (40%).

IX. PAYMENT STANDARDS

- A. Each year, the PHA will establish Payment Standards between 90-110% of the current Fair Market Rent. HUD approval will be obtained if subsidy amount is below or above established FMR. If below FMR, HUD will not approve if more than forty percent (40%) of the PHA's participants are paying a family share above thirty (30%) percent of adjusted monthly income.
- B. When the Payment Standard is adjusted, staff will make the appropriate changes during the family's annual reexamination.
- C. Factors that the PHA may review on an annual basis, within sixty (60) days of the publication of the Fair Market Rents schedule, include the following:
  - 1. participant rent burdens (percent of Tenant Rent to adjusted household income);
  - 2. participant rent burden relative to the quality of units selected by participant families;
  - 3. participant rent burden relative to availability by bedroom size;
  - 4. actual contract rents for specific bedroom sizes;
  - 5. actual rent increases for participating households;
  - 6. the applicable annual adjustment factor(s) which may be an indication of the prospective average percent of rent increases;
  - 7. the average time period for finding eligible housing;
  - 8. rent reasonableness data;
  - 9. the local vacancy rate; and
  - 10. prior approved rent exceptions will apply.
- D. If the payment standard is decreased, affected families are protected from having their family share increased as a result of the first 24 months of the HAP contract. The regulations stipulate that during the time, the family's payment standard is:
  - 1. The initial payment standard used for the family while under the contract (minus any amount by which the initial rent to owner exceeds current rent to owner); or
  - 2. The payment standard determined at the family's most recent regular reexamination.
- E. Maximum Initial Rent Burden

1. Families receiving initial assistance or moving after October 1, 1999; may not pay more than forty percent (40%) of Annual Income;
2. This does not apply if family stays in unit; and
3. Applicable with each move.

F. Procedures for Evaluation

During the annual evaluation process, the PHA may use the above data to determine what impact an increase in the payment standard will have on the number of families who can be assisted.

X. OWNER/LANDLORD RESPONSIBILITY FOR SCREENING RESIDENTS

A. OWNER/LANDLORD SCREENING

1. Listing a family on the PHA waiting list, or selecting a family for participation in the program, is not a representation by the PHA to the owner/landlord about the family's expected behavior, or the family's suitability for tenancy. At or before PHA approval to lease a unit, the PHA must inform the owner/landlord that the PHA has not screened the family's behavior or suitability for tenancy and that such screening is the owner's/landlord's own responsibility.
2. Owners/landlords are permitted and encouraged to screen families on the basis of their tenancy histories. An owner/landlord may consider a family's background with respect to such factors as:
  - a. payment of rent and utility bills;
  - b. caring for a unit and premises;
  - c. respecting the rights of others to the peaceful enjoyment of their housing;
  - d. drug-related criminal activity or other criminal activity that is a threat to the life, safety or property of others; and
  - e. compliance with other essential conditions of tenancy.

B. PHA INFORMATION ABOUT RESIDENT

1. If requested in writing, the PHA must give the owner/landlord:
  - a. The family's current address (as shown in the PHA records); and
  - b. The name and address (if known to the PHA) of the owner/landlord at the family's current and prior address.
2. When a family wants to lease a dwelling unit, the PHA may offer the owner/landlord other information in the PHA possession, about the family, including information about the tenancy history of family member, or about drug-trafficking by family members.
3. The PHA must give the family a statement of the PHA's policy on providing information to owners/landlords. The statement must be included in the information packet that is given to a family selected to participate in the program.
4. The PHA must limit use and disclosure of family information obtained through release and consent purposes directly connected with the program administration



## XI. PAYMENTS TO OWNERS/LANDLORDS

### A. CONTROLS AND ACCOUNTABILITY

1. All payments are computed according to HUD approved formulas and schedules.
2. New contracts are dated on or after the unit is approved and the participant has moved in.
3. Computations are reviewed before being submitted to the appropriate department for payment.
4. A HAP register is maintained to monitor timeliness and accuracy.
5. The owner/landlord may not charge extra for items customarily included in rents in the locality or provided at no additional cost to the unsubsidized residents on the premises.

### B. BASIC PROCEDURES

1. Annual rent increases are effective the first of the month.
2. Request for payments are submitted by no later than the 3rd week of each month to insure that payments can be reviewed by for accuracy and so that payments are made in a timely manner to the owners/landlords.
3. Payments are made to the families (Utility Reimbursement Payments) and the owners/landlords by check.

### C. HAP LATE PAYMENTS TO OWNERS/LANDLORDS (24 CFR Sec. 982.451)

HAP contract provides for penalties against the PHA. To assess such fees, the policy and practice must meet the following criteria:

1. The penalties follow the generally accepted practice and law in the local housing market;
2. The owner charges both assisted and non-assisted tenants;
3. The owner charges the tenant for late rent payments;
4. Late fee will be paid from the Administrative fees income and reserve;
5. PHA will not be penalized if circumstances that are beyond their control;
6. When the HAP payment is mailed by the PHA it is considered received;

7. The first HAP payment of a contract is not considered for a late payment.

## XII. ANNUAL AND INTERIM PARTICIPANT RE-CERTIFICATION

### A. ANNUAL PARTICIPATION RE-CERTIFICATION

1. Families will be requested to provide information on income, assets, allowances and deductions, and family composition at least annually.
2. The annual re-certification date shall be the first of the month in which the lease was executed.
3. When families move to another dwelling unit, an annual re-certification will be scheduled.
4. Income limits will not be used as a test for continued eligibility at re-certification.
5. Re-examination Notice to the Family
  - a. The PHA will maintain a re-examination tracking system and at least ninety (90) days in advance of the scheduled annual re-examination effective date, the head of household will be notified by mail that she/he is required to attend an re-examination interview on a specified date (or re-arrange a date in advance if the scheduled date is unacceptable).
  - b. The notice will inform the family about what documents the family must bring to the re-certification interview.
  - c. If requested as an accommodation by a person with a disability, the PHA will provide the notice in an accessible format.
  - d. A home-visit (telephone interview) may be conducted for elderly or disabled clients.
  - e. If requested by an elderly or disabled client, a family representative or social service representative may assist with process.
  - f. All family members eighteen (18) years of age or older must attend the annual reexamination appointment.
6. Verification of Information Provided
  - a. The PHA will send out third-party verifications whenever possible. If third-party verifications are not returned by the given deadline, documents provided by the resident may be used for verification.



- b. The PHA will follow the verification procedures and guidelines described in this Plan. Verifications for reexaminations must be less than 120 days old.
- c. Families declaring zero income may be required to execute verification forms to determine the sources of income such as unemployment benefits, TANF, SSI, etc. are not received by the household. The PHA may request information from the state employment office.
- d. For families with zero income reexamination is scheduled no less than every thirty (30) days. The family is required to provide proof of assistance by methods of contribution letter, receipts or agency confirmation.

#### B. CHANGES TO TENANT RENT

- 1. When the family income information is analyzed, and all other annual re-certification requirements have been met, the tenant rent will be recalculated.
- 2. The PHA will notify both the owner/landlord and resident in writing of the new rent shares.
- 3. If there is a tenant rent increase, the new rent portion will go into effect following a full thirty (30) days notice prior to the first of the month. (If there has been misrepresentation by the resident, or if the resident caused a delay in the re-examination processing, an increase in rent will be made retroactively).
- 4. If less than thirty (30) days are remaining before the anniversary date, the tenant rent increase will be effective on the first of the month following the thirty (30) days notice.
- 5. If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the reexamination processing, there will be a retroactive increase in rent to the anniversary date. At the discretion of the PHA, the resident may be placed on a promissory note or terminated from the program.
- 6. If there is a rent decrease, it will be effective on the scheduled effective re-examination date (unless the family has caused a delay in re-examination processing).
- 7. Retroactive rent is charged when the participant has failed to provide information within the required time period.
- 8. Rent will be prorated when a mixed family is not eligible for continued assistance or deferral of termination; chooses not to defer termination; or is at the end of the deferral period. The total housing subsidy is calculated in the usual manner for

either assistance programs, using income for all family members. Proration is calculated by multiplying the total subsidy by a fraction which shows the number of eligible family members as the top number and is divided by the number of total family members as the bottom number.

#### C. FAILURE TO RESPOND TO ANNUAL RE-CERTIFICATION NOTICE

1. The written notification must state which family members are required to attend the interview. The family may call to request another appointment date up to one (1) day prior to the interview.
2. If the family does not appear for the re-certification interview, and has not rescheduled or made prior arrangements with the PHA. The PHA may reschedule a second appointment.
3. If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the PHA may send the family notice of termination and offer them an informal hearing.
4. Exceptions to these policies may be made if the family is able to document an emergency situation that prevented them from canceling or attending the appointment or if requested as a reasonable accommodation for a person with a disability.
5. A maximum of two (2) scheduled reexamination appointments will be mailed to the participant. Extenuating circumstances may be considered at the discretion of the PHA. The second appointment must be mailed immediately (within 24 hours) allowing the participant ten (10) working days for the next scheduled appointment.

#### D. INTERIM REEXAMINATIONS

The PHA will conduct interim reexaminations of the family income, composition and other eligibility factors to adjust the Total Tenant Payment for the following reasons:

1. for families whose income cannot be projected with any reasonable degree of accuracy, special reexaminations will be scheduled not less than every ninety (90) days nor more than every thirty (30) days;
2. for families where an error was made at admissions or reexamination; that family will not be charged retroactive rent (increase) for error(s) made by PHA personnel;
3. for families whose rent was based on false or incomplete information supplied by the applicant/participant;

4. for families who requested a review due to a decrease in income or increase in allowable expenses;
5. for families who have had their rent reduced under a previously requested reexamination;
6. for families who have added and/or deleted member(s) of their household from the original family composition; (mandatory that this be reported to PHA);
7. for families whose income source is changed excluding changing from one full-time employer to another, receipt of an unscheduled increase in wages, or receipt of an increase in Social Security or SSI benefits not due to a reevaluation of benefits;
8. for families or household members previously reporting zero income;
9. any requirements imposed by HUD.

E. PUBLIC ASSISTANCE BENEFIT CHANGES

1. If the welfare or public assistance benefits of a covered family are reduced because of an act of non-compliance with program requirements or fraud by a member of the family under the law or program, the amount required to be paid by the covered family as a monthly contribution toward the rent may not be decreased, during the period of the reduction, as a result of any decrease in the income of the family (to the extent that the decrease in income is a result of the benefits reduction). The reduction of benefits due to non-compliance with program requirements or fraud must be verified by written notification from the welfare agency.
2. A family's loss of welfare benefits due to the expiration of the lifetime limit will not be considered as failure to comply, the rent will be lowered.

F. REQUIREMENTS TO ADD TO FAMILY COMPOSITION

The PHA is required to amend the lease when there are additions or deletions to the family composition. The following requirements to add to the family composition:

1. Minors

- a. The PHA will require birth verification, social security numbers and proof of guardianship (if applicable) for minors. The provision of social security numbers for person over six (6) years is required by HUD. Failure to comply to provide social security number will result in termination of assistance for failure to comply with program requirements.
  - b. Legal guardianship will be required when the participant is caring for minor children of a relative or friend. Documentation may include verification from the Department of Public Services that the participant is the guardian of said minor child.
- 2. Persons eighteen (18) year of age or older:
  - a. When the participant requests an adult person (defined as someone 18 years of age or older) be added to the family composition, the following will be required:
    - (1) Photo identification, social security number, verification of income and other eligibility related requirements. The individual will be required to sign HUD form 9886 (Release of Information);
    - (2) Background screening will be conducted for criminal activity by **prior to authorizing approval** to add an adult person to family composition and the PHA will determine, after receipt, of the report the acceptability of this adult member in the same manner other applicants are screened for appropriate behavior.
    - (3) If upon review of the individuals criminal history background check there is no record, the PHA will add the adult member to the family composition.
    - (4) If upon review of the individuals criminal history background check there is a criminal history, the PHA may deny the admission and addition to the lease of the participant.
    - (5) The PHA will consider any violent criminal or drug related criminal activity as grounds to deny admission, unless the individual can prove rehabilitation.
    - (6) Because the adult member who wished to be added has no formal relationship with the PHA, she/he will not be afforded a review of the reasons for denial.
  - b. The participant may request an informal hearing as outlined in the Administrative Plan.

### XIII. TERMINATION OF ASSISTANCE

#### A. BASIC POLICY

The PHA may terminate assistance for a family because of the family's action or failure to act. The PHA will provide families with a written description of the family obligations under the program, grounds under which the PHA can terminate assistance, and the informal hearing procedures.

#### B. THE PHA MAY TERMINATE ASSISTANCE FOR THE FOLLOWING REASONS

1. A family must not engage in drug-related criminal activity, violent criminal activity, or other criminal activity, including criminal activity by any family member.
2. A family must not engage in the abuse of alcohol to the extent that the abuse interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

Drug-Related Criminal Activity means:

- , the illegal use, or possession for personal use, the manufacturer, sale or distribution or the possession with intent to manufacture, sell or distribute a controlled substance (as defined in the Controlled Substance Act.).
3. The PHA may not terminate assistance for such use or possession by a family member, if the family member can demonstrate the he/she:
  - a. Has an addiction to a controlled substance, has record of such impairment, or is regarded as having such an impairment; and
  - b. Is recovering or has recovered from such an addiction and does not currently use or possess controlled substances. In this instance, the PHA shall require the family to submit evidence of participation in, or successful completion of a treatment program as a condition of continued assistance for the family or to allow the affected family member to reside in the assisted units.
4. Violent criminal activity includes any criminal activity that has as one of its elements the use, attempted use or threatened use of physical force against the person or property of another.
5. Abuse of alcohol includes behavior or a pattern of behavior of any Section 8 program participant and any family member and/or guest that as a result of the

abuse of alcohol interferes with the health, safety, or right of peaceful enjoyment of the premises by other residents.

6. As a measure to determine whether the person has violated this family obligation, one of the following situations must be present:
  - a. There has been an arrest for engaging in drug-related criminal activity or violent criminal activity (as defined above) or other criminal activity, including criminal activity by any family member, which resulted in a conviction within the past sixty (60) months; or
  - b. There must have been an arrest within the prior twelve (12) months for engaging in drug-related criminal activity or violent criminal activity (as defined above) including criminal activity by any family member, which did or did not result in a conviction within the last sixty (60) months; or
  - c. The family has been evicted from **federally-assisted housing in the last five (5) years (see 24 CFR Sec. 982.552)** for engaging in drug-related criminal activity or violent criminal activity (as defined above) including criminal activity by any family member;
  - d. The PHA has acquired/been presented with the preponderance of evidence that the family, including any family member, is engaging in drug-related criminal activity or violent criminal activity or other criminal activity or alcohol abuse, regardless of whether the family member has been arrested or convicted.
7. Families who are guilty of program abuse or fraud in any Federal Housing Assistance program. (This presupposes that the program abuse or fraud is substantiated and that a Repayment Agreement was not entered into.)
8. Families who have violated one of their family obligations.
9. Families who are in default of an executed Repayment Agreement by missing two (2) payments may pay their outstanding balance prior to the issuance of or execution of a HAP Contract participants will be able to stay in their current unit under the same Contract.
10. Families whose Total Tenant Payment is sufficient to pay the full gross rent and where 180 days has elapsed since the PHA's last HAP payment was made.
11. Families whose appropriate household members do not provide their Social Security information and documentation within the time required and specified by the PHA.

12. Families who fail to comply with HUD requirements for Assistance to non-citizens.
13. Income limits are solely used to determine eligibility for initial applicants. Income limits are not a consideration for termination of assistance once the family is under lease and contract and already “on the program.”

However, the following examples may be reasons for termination of assistance:

- C if the family did not report an interim change in family composition or income, etc., which they were required to report, the PHA would determine how much the family owed the PHA, due to the unreported or untimely reported information.
  - C if the PHA entered into a Repayment Agreement with the family, for unreported family income or multiple occasions of unreported income, and the family is current in its payments to the PHA, there is no reason to terminate the family’s assistance.
  - C if the family stops paying on their Repayment Agreement, the family will be under the termination of assistance procedures above.
14. If a participant signs an agreement with an owner/landlord to pay for the owner/landlord to repair resident-caused HQS fail items, and the participant fails to repay the owner/landlord pursuant to said agreement, assistance may be terminated.

#### C. FAMILY SELF-SUFFICIENCY (FSS) PARTICIPANTS

The PHA will not deny or terminate the Section 8 assistance if a family fails to comply with the Contract of Participation. However, PHA may take the following action against a Family Self-Sufficiency family:

1. Withhold Supportive Services
  - a. If the family has repeatedly failed to comply with the requirements of the Contract of Participation and/or other rules outlined in the FSS Action Plan, the PHA will withhold supportive services.
  - b. The family will be notified of the action to be taken.
2. Recommend probation or terminate the families participation in the FSS Program.
  - a. If after counseling and negotiating with the family, they still fail to comply with the Contract of Participation, PHA will inform the family of the action

to be taken (probation or termination of their participation in the FSS Program).

- b. The family will have ten (10) days to request an informal hearing. The PHA will conduct the hearing and inform the family within ten (10) days of the hearing of their final decision.

3. Withholding of the Escrow Account

If a family fails to comply with the Contract of Participation and they are terminated from participation in the FSS Program or they leave the program before completion, the escrow account will be withheld according to current regulations.

D. ZERO HOUSING ASSISTANCE

1. If the Total Tenant Payment is equal to the Contract Rent or the Payment Standard, then the owner/landlord will no longer receive an assistance check from the PHA. The family will be notified that the zero housing assistance is available for six (6) months. At that time, if there has been no changes which reflect the ability for the PHA to provide monetary assistance on the contract, the contract and the family's assistance will be terminated.
2. This determination does not preclude the family from asking to terminate assistance immediately, nor does it impact any rights under the lease.
3. Families whose assistance is terminated under this instance will have to reapply for assistance when PHA is accepting applications.

E. COMPUTER MATCHING (24 CFR 5.211)

The PHA along with the Department of Housing and Urban development will conduct a computer matching initiative in order to provide an independent source for verifying resident income. The matched information regarding income, earnings, wages, or unemployment compensation will be disclosed to the assisted family. The family must take appropriate action. Appropriate action may include, but not necessarily be limited to, review of information with the client and changing the family's rent as needed. If a documented case of fraud is verified, the PHA will take action to recover excess housing assistance received by the tenant due to unreported income.



#### XIV. UTILITY ALLOWANCES

- A. The Utility Allowance Schedule is used to determine how much credit the assisted family will be given for estimated utility cost. If the family pays for some or all utilities, the Section 8 office will provide the family with a utility allowance. The allowances are based on actual rates and average consumption.
- B. The utility allowance is given as a reduction in the residents portion of rent to be paid to the owner/landlord. The Total Tenant Payment is reduced by the utility rate since the last revision.
- C. The PHA's Section 8 office will review the Utility Allowance annually and adjust if there is a ten percent (10%) or more change in the utility rate since the last revision.
- D. Approved utility allowance schedule(s) are provided to families at the briefing sessions when the family receives initial or continued assistance.
- E. The PHA will use the utility allowance for the actual size unit rented and will consider a special higher utility allowance as reasonable for a disabled person.
- F. Allowances will be established for family's who supply the range and refrigerator.

## XV. PORTABILITY

### A. OUTGOING VOUCHERS AND CERTIFICATES

1. Section 8 waiting list applicants who are residents of the PHA's jurisdiction (plus 5 miles beyond the city limits) may elect to exercise their option to use the portability features of their housing assistance.
2. Section 8 waiting list applicants, who reside in areas outside of its jurisdiction (defined above), must utilize their assistance within the jurisdiction for at least twelve (12) months before being able to relocate to another jurisdiction.
3. Family Self-Sufficiency (FSS) program participant(s) must reside in the jurisdiction for at least twelve (12) months.
4. Participants may not port-out if they are in violation of family obligations or if they owe a balance due.
5. A portable family transferring between programs must be income-eligible for the area where the family leases an assisted unit. This requirement applies if the family is transferring from the initial PHA Certificate program to the receiving PHA Voucher program
6. If a portable family was already a participant in the initial PHA Certificate or Voucher program, income eligibility is not redetermined unless the family transfers between the programs.
7. The PHA follows the portability requirements of 24 CFR 982.553-555 and any subsequent regulations, notices, memos or directives from HUD regarding the administration of Section 8 under portability.

### B. RECEIVING PHA (see 24 CFR 982.355)

1. The receiving PHA is required to provide assistance to porting families unless the family has breached its obligations.
2. The receiving PHA may opt to screen portable families using the receiving PHA's admission criteria only if the family is not a current participant in the tenant-based program.
3. Portability admissions are counted against the initial PHA's income targeting requirement (75% of extremely low-income admissions) - unless the receiving PHA absorbs the family (24 CFR 982.201).

## XVI. MOVES WITH CONTINUED TENANT-BASED ASSISTANCE

### A. ELIGIBILITY TO MOVE

1. The assisted lease for the old unit has terminated. This includes a termination because:
  - a. The PHA has terminated the HAP contract for the owner's/landlord's breach; or
  - b. The lease has terminated by mutual agreement of the owner/landlord and the resident; or
  - c. The lease expired and either the owner/landlord or resident decided not to renew.
2. The owner/landlord has given the resident a notice to vacate, or has commenced an action to evict the resident, or has obtained a court judgment or other process allowing the owner/landlord to evict the resident.
3. The resident has given proper notice of lease termination after the 1<sup>st</sup> year.

### B. HOW MANY MOVES

1. A participant family may move one time with continued assistance under the program, either inside the jurisdiction or under the portability procedures during any one-year period. (See 24 CFR Sec. 982.353)
2. The family may not move during the initial term of the lease. (See 24 CFR Sec. 982.314)
3. The PHA may deny a request to move for the following reasons:
  - a. the participant intentionally causes the unit to fail housing quality standards;
  - b. the participant owes the PHA a balance due;
  - c. the participant has violated the family obligations.
4. Failure to provide at least thirty (30) days notice may result in termination of assistance.

5. Agreement to Remain in Occupancy

- a. If the family does not locate a new dwelling they may be required to submit an “Agreement to Remain in Occupancy”.
- b. The assisted tenancy may be extended for any period of time mutually agreed upon by the owner/landlord and resident.
- c. Absence of the Agreement to Remain in Occupancy HAP payments and the HAP contract may terminate at the end of the thirty (30)-days notice issued by the resident.

C. NOTICE OF FAMILY MOVE

1. The Owner is permitted to require the family to give a termination notice of any lease-specified minimum length. (See 24 CFR Sec. 982.309)
2. If the family terminates the lease with proper notice to the owner/landlord, the family must give the PHA a copy of the notice at the same time.
3. If the family wants to move to a new unit that is located outside the initial PHA jurisdiction, the notice to the PHA must specify the area where the family wants to move.

## XVII. FAMILY BREAK-UP

### A. PHA DISCRETION

1. The PHA has discretion to determine which members of an assisted family continue to receive assistance in the program if the family breaks up.
2. The decision to determine who continues to receive the assistance will be made by the Section 8 Coordinator .

### B. CRITERIA

The factors to be considered in making this decision may include:

1. whether the assistance should remain with family members remaining in the original assisted unit;
2. the interest of minor children or of ill, elderly or disabled family members;
3. whether family members are forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household; or
4. other factors specified by the PHA.

### C. COURT ORDERS

If a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement or judicial decree, the PHA is bound by the court's determination of which family members continue to receive assistance in the program.

### D. REMAINING MEMBER OF TENANT FAMILY

1. The Section 8 office may assist an individual left in an assisted housing unit who may or may not otherwise qualify for assistance under their own circumstances.
2. A single adult (whether elderly or non-elderly, displaced or non-disabled, children in residence/household or no children present) may become the head of household.
3. A live-in aide will not be considered a remaining member of the resident family by definition.

4. A minor child(ren) will/will not be allowed to retain status of remaining family member(s) unless:
  - C The court has awarded emancipated minor status to the minor; or
  - C An income eligible court appointed or legal guardian moves into the unit with the minor child(ren).
5. If both parents must leave the household and the Department of Social Services and/or the Juvenile Court has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the Section 8 office will treat that adult as a visitor for sixty (60) days.
  - a. After that period, the Section 8 office will determine whether court awarded custody or legal guardianship has been granted to the caretaker.
  - b. If so, the assistance will be transferred to the caretaker.

## XVIII. ABSENCE FROM UNIT

### A. TIME LIMITS

1. The family may be absent from the unit for brief periods. Generally, the family may not be absent from the unit for a period of more than sixty (60) consecutive calendar days.
2. Generally, the housing assistance payments terminate if the family is absent for longer than sixty (60) days. The term of the HAP contract and assisted lease also terminate.
3. The Executive Director may approve an absence of up to 180 consecutive calendar days for extraordinary reasons.
4. Absence means that no member of the family is residing in the unit.
5. The owner/landlord must reimburse the PHA for any housing assistance payments for the period after termination.

### B. VERIFICATIONS

1. The family must supply any information or certification requested to verify that the family is residing in the unit.
2. The family must promptly notify the PHA of absence from the unit, including any information requested on the purpose of family absences.
3. The PHA may adopt appropriate techniques to verify family occupancy or absence, including letters to the family at the unit, phone calls, visits or questions to the landlord or neighbors.

### C. REINSTATEMENT OF ASSISTANCE

The PHA will allow households, who due to illness or hospitalization of the head of household, spouse or immediate family members, to resume assistance (without reapplying for admission) as long as no more than a year has lapsed since the termination of assistance. If the family owes the PHA money, that debt must be paid prior to resuming assistance.

XIX. ADMISSION OF LIVE-IN AIDE OR FOSTER CHILDREN

A. LIVE-IN AIDE

1. The PHA will permit the live-in aide to reside with a disabled family as long as the live-in aide meets the criteria for the definition of Live-In Aide (see the Definitions section on this Plan).
2. In the case where a live-in aide is arrested at or near the premises of the Section 8 participant for drug-related or violent criminal activity, the PHA shall advise the Section 8 participant that the live-in aide cannot be housed with the participant.
3. The PHA will not be required to wait until conviction of the live-in aide, but will use the criteria of preponderance of the evidence.
4. None of the above mentioned procedures precludes the Section 8 owner/landlord from taking action to initiate a eviction for good cause.

B. FOSTER CHILDREN

1. Foster children will be allowed as additions to the household if the anticipated length of stay is at least six (6) months.
2. Documentation from the Child Welfare Services agency responsible for placement must be provided prior to the placement of the child(ren), except in cases of emergency.
3. If the participating family requires a larger size unit, it will be issued as soon as possible.



## XX. INFORMAL HEARINGS AND REVIEWS

### A. DEFINITIONS

2. “INFORMAL REVIEW”. A review of the PHA’s decision on an applicant’s application for participation in the Section 8-Existing Housing Program in accordance with the procedures outlined below.
3. “INFORMAL HEARING”. A hearing regarding a decision affecting a participating family in the Section 8-Existing Housing Program in accordance with the procedures outlined below.
4. “INFORMAL REVIEW OFFICER”. A person designated to informally review a decision concerning an application for participation and give his/her decision.
5. “INFORMAL HEARING OFFICER”. A person designated to conduct an informal hearing concerning a participant and gives his/her decision.

### B. PROCEDURES FOR INFORMAL REVIEW

1. The PHA shall give an applicant written notice of a decision denying assistance or a decision denying listing on the waiting list within ten (10) calendar days from the date of the decision.
2. The notice shall contain a brief statement of the reason(s) for the decision, that the applicant may submit a signed written request for an informal review of the decision if he/she disagrees with the decision, and that the request must be made within ten (10) calendar days from the date of the notice, and that the applicant should keep proof of making the request.
3. The PHA may or may not conduct an informal review if the applicant fails to submit his/her request within the time stipulated. If the request is not submitted timely, it shall mean that the applicant waived his/her right to request an informal review.
4. Reasonable accommodations shall be made for applicants who are disabled.
5. The PHA shall conduct an informal review, provided the applicant submits a proper request for an informal review within the time allowed.

6. Informal Review Officer
  - a. The PHA shall designate any person or persons as the review officer(s). The power to designate any person or persons as review officer or review officers shall rest with the PHA.
  - b. The person or persons designated as the review officers shall not be the person who made or approved the decision under review or a subordinate of such person.
7. The Informal Review
  - a. The proceedings of the review shall be informal and confined to factors relating to eligibility and to decide if the decision denying assistance to the applicant is justified or not.
  - b. The PHA shall notify the applicant of the date, the time, and the place of conducting the informal review at least a week prior to the date of the review.
  - c. The applicant shall have the right to present his objections either orally or in writing.
  - d. A representative of the Section 8 Department may be present.
8. The Decision
  - a. The review officer or officers shall decide whether the decision denying assistance to the applicant was justified and according to the Federal regulations and rules of the PHA. This final decision shall be given within seven (7) calendar days from the date of the review.
  - b. The PHA shall promptly notify the applicant in writing of the final decision, and a brief statement of the reasons for the final decision.
9. Informal Reviews are not required for established policies and procedures and determinations such as:
  - a. Discretionary administrative determinations;
  - b. General policy issues or class grievances;
  - c. A determination of the family unit size under the subsidy standards;

- d. Refusal to extend or suspend a Voucher;
- e. Disapproval of a lease;
- f. Determination that a unit is not in compliance with HQS;
- g. Determination that a unit is not in accordance with HQS due to family size or composition.

#### C. PROCEDURES FOR INFORMAL HEARING

1. The PHA must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following determinations:
  - a. Termination of assistance;
  - b. Determination of the family's annual or adjusted income and the calculation of the housing assistance payment;
  - c. Family unit size determination under the subsidy standards;
  - d. Determination to terminate assistance for any reason;
  - e. Notice of Determination to pay an owner/landlord claim for damages, unpaid rent or vacancy loss.
2. Informal Hearings are not required for established policies and procedures such as:
  - a. Discretionary administrative determinations;
  - b. General policy issues or class grievances;
  - c. Establishment of the schedule of utility allowances;
  - d. Determination not to approve an extension or suspension of a voucher term;
  - e. Determination not to approve a unit or lease;
  - f. Determination that an assisted unit is not in compliance with HQS (the PHA must provide a hearing for family breach of HQS because that is a family obligation determination);

- g. Determination that the unit is not in accordance with HQS because of the family size;
- h. Determination to exercise or not exercise any right or remedy against the owner/landlord under a HAP contract.

3. Notice to Participant

- a. When decisions are made, the PHA shall give the participant prompt written notice of the decision made.
- b. The written notice shall contain a brief statement of the reasons for the decision, and a statement that if the participant does not agree with the decision, she/he may request an informal hearing on the decision within ten (10) calendar days from receipt of the notice.
- c. The PHA may or may not conduct an informal hearing if the participant does not request an informal hearing within the time fixed herein to do so. If the request is not submitted timely, it shall mean that the participant waived his/her right to request an informal hearing.

4. The Hearing Officer

- a. The PHA will designate any person or persons as hearing officer or hearing officers to conduct the informal hearing. The power to designate a hearing officer shall rest solely with the PHA.
- b. The hearing officer can be any person other than a person who made or approved the decision under review, or a subordinate of such person.

5. Rights of the Participant

- a. The participant can either appear in person at the hearing, or can be represented by a lawyer or other representative at his/her own expense.
- b. The participant shall have the right to present evidence, both oral and documentary, without regard to admissibility under the rules of evidence applicable to judicial proceedings.
- c. The client shall have the right to arrange for an interpreter to attend the hearing, at the client's expense.

6. Rights of the PHA

- a. The PHA can be represented by a lawyer, or any other representative in the informal hearing.
- b. The PHA can introduce evidence, both oral and documentary, without regard to admissibility under the rules of evidence applicable to judicial proceedings.
- c. The PHA shall have the right to question any witness examined in the informal hearing and to make final submissions.

7. The Informal Hearing

- a. The hearing officer will regulate the conduct of the hearing in accordance with hearing procedures commonly accepted and followed.
- b. If the participant who requested the informal hearing fails to appear at the hearing on the date fixed for hearing without any request for an adjournment on strong grounds, the matter will be decided ex parte, or dismissed forthwith with no right for its restoration. The hearing officer may or may not allow an application for adjournment.
- c. The participant will begin his/her case by introducing documents it relies on and by taking oral testimony of witnesses in support of his/her contention.
- d. The PHA will then begin its defense by introducing documents it relies on and by taking oral statements from witnesses, if necessary, in justification of its decision.
- e. The participant and the PHA will then close their cases and make final submissions, if they choose to, prior to the decision.

8. The Decision

- a. The hearing officer will consider the evidence introduced by the parties and give such evidence due weight.
- b. Factual determinations relating to the individual circumstances of the participant shall be based on the evidence presented at the hearing.
- c. The decision shall be in writing and based on the facts established, HUD regulations, PHA policy, and the applicable law.

- d. The decision shall clearly state the reason on which the decision is arrived.
- e. A copy of the decision shall be furnished promptly to the participant.

**D. HEARING AND APPEAL PROVISIONS FOR “RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS”**

- 1. Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decisions on the INS appeal.
- 2. Assistance to a family may not be terminated or denied while the PHA hearing is pending but assistance to an applicant may be delayed pending the PHA hearing.
- 3. INS Determination
  - a. If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the PHA notifies the applicant or participant within ten (10) days of their right to appeal to the INS within thirty (30) days or to request an informal hearing with the PHA either in lieu of or subsequent to the INS appeal.
  - b. If the family appeals to the INS, they must give the PHA a copy of the appeal and proof of mailing or the PHA may proceed to deny or terminate. The time period to request an appeal may be extended by the PHA for good cause.
  - c. The request for an PHA hearing must be made within fourteen (14) days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen (14) days of receipt of that notice.
- 4. After receipt of a request for an informal review/hearing, the review/hearing is conducted as described in section D. of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family member(s) the PHA will:
  - a. Deny the applicant family;
  - b. Defer termination if the family is a participant and qualifies for deferral;
  - c. Terminate the participant if the family does not qualify for deferral.

5. If there are eligible members in the family, the PHA will offer to prorate assistance or give the family the option to remove the ineligible member(s).
6. All other complaints related to eligible citizen/immigrant status:
  - a. If any family member fails to provide documentation of certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.
  - b. Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.
  - c. Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and Total Tenant Payment.
  - d. Families denied or terminated for fraud in connection with the non-citizen rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

**E. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES**

1. When applicants are denied placement on the waiting list, or the PHA is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process.
2. Examples of mitigating circumstances are:
  - a. A person with a cognitive disorder may not have understood the requirement to report increases in income;
  - b. A person may not understand the need to make regular repayments on a promissory note;
  - c. Minor criminal records for public drunkenness may be due to medication; prior incarcerations for being disorderly may be emotional disorder.

## XXI. OPERATING RESERVE EXPENDITURES STATEMENT

Operating Reserves This amount is credited with earned income administrative fees that exceed expenditures for program administration.

### A. REQUIRED USE FOR PROGRAM ADMINISTRATION

1. The operating reserve must first be used to pay Section 8 administrative costs that exceed earned administrative fees or a fiscal year.
2. Projected administrative fees and the Operating Reserve must cover all projected costs of program administration through the remaining ACC terms.

### B. PERMITTED USE FOR OTHER HOUSING PURPOSES

Operating reserve funds may be expended for other housing purposes consistent with the State and local law. If the PHA anticipates that ongoing fees will not be sufficient for ongoing administrative cost through its ACC terms, an appropriate amount must be retained in the Operating Reserve for projected administrative cost.

### C. BOARD OF COMMISSIONERS APPROVAL FOR OPERATING RESERVE EXPENDITURES

1. The Board of Commissioners must set a threshold for the amount of expenditures which may be made from the Operating Reserve for other housing purposes without prior approval of the Board.
2. For Operating Reserve expenditures that exceed the Board threshold, the PHA Board, as part of its approval, must make an affirmative determination that the expenditures are necessary and reasonable for the other purposes consistent with state and local law.



## XXII. REPAYMENT AGREEMENTS

### A. ESTABLISHING THE AGREEMENT

1. Repayment Agreements are executed with Section 8 families and owners/landlords who owe the PHA funds.
2. Families may owe money for special claims (unpaid rent, damages or vacancy loss) paid on their behalf by the Section 8 office to owners/landlords or for unreported information which affected the assistance paid on their behalf to owners/landlords.
3. The minimum amount of the down payment on any Repayment Agreement is ten percent( 10%) of the total balance owed . The balance is to be paid in twelve months of the date of the Repayment Agreement.
4. Any additional money owed will have to be paid-in-full.

### B. Enforcing the Agreement

1. The Section 8 office will set up monthly payments on the Repayment Agreements.
2. If the participant is two (2) or more months behind, the participant's assistance may be terminated.
3. If the resident enters into a Repayment Agreement after the execution of the HAP Contract and does not pay, the Section 8 office will require the family to bring their Repayment Agreement current prior to issuance of a Voucher to move to another unit.
4. If the resident refuses to enter into a Repayment Agreement because of a claim paid for unpaid rent, damages, or vacancy loss, the Section 8 office will continue paying HAP in their current unit, but the Section 8 office will refuse to issue a Voucher to move until the family repays the amount owed in-full.
5. The Section 8 office must notify the family of the amount of its liability and inform them of the consequences if they do not pay.

### C. INELIGIBILITY FOR REPAYMENT AGREEMENTS

If the Section 8 office determined that the family committed willful and intentional fraud, the Section 8 office may require the family to repay the entire amount in-full or have their assistance terminated.

D. OWNER/LANDLORD FRAUD AND PROGRAM ABUSE

1. When the Section 8 office determines that the owner/landlord has retained Housing Assistance Payments the owner/landlord was not entitled to, the Section 8 office may reclaim the Housing Assistance Payment amount from future Housing Assistance Payments owed the owner/landlord, no matter what Section 8 Program is involved.
2. If the future Housing Assistance Payments owed are insufficient to reclaim the amount owed, the addition amount(s) may be referred to collection.
3. The Section 8 office will use Chapter 9 of HUD Handbook 7420.7 as a guide in dealing with owner/landlord fraud and program abuse, which may include barring the owner/landlord from participating in the Section 8 Rental Assistance Program.

## GLOSSARY

### Acronyms Used in Subsidized Housing

AAF	Annual Adjustment Factor. A factor published by HUD in the Federal Register which is used to compute annual rent adjustments.
ACC	Annual Contributions Contract.
BR	Bedroom
CDBG	Community Development Block Grant
CFP	Certificate of Family Participation
CFR	Code of Federal Regulations. Commonly referred to as “the regulations”. The CFR is the compilation of Federal rules which are first published in the Federal Register and define and implement statute.
CPI	Consumer Price Index. CPI is published monthly by the Department of Labor as an inflation indicator.
CR	Contract Rent
EBL	Elevated Blood-Lead Level
FDIC	Federal Deposit Insurance Corporation
FHA	Federal Housing Administration
FICA	Federal Insurance Contributions Act - Social Security taxes
FMHA	Farmers Home Administration
FMR	Fair Market Rent
FSS	Family Self-Sufficiency
FY	Fiscal Year
FYE	Fiscal Year End
GAO	Government Accounting Office
GFC	Gross Family Contribution. Note: Has been replaced by the term Total Tenant Payment (TTP).

GR	Gross Rent
HA	Housing Agency
HAP	Housing Assistance Payment
HAP Plan	Housing Assistance Plan
HCDA	Housing and Community Development Act
HCVP	Housing Choice Voucher Program
HQS	Housing Quality Standards
HUD	The Department of Housing And Urban Development
HURRA	Housing and Urban/Rural Recovery Act of 1983
HV	Housing Voucher
IG	Inspector General
IGR	Independent Group Residence
IPA	Independent Public Accountant
IRA	Individual Retirement Accountant
MSA	Metropolitan Statistical Area established by the U.S. Census Bureau
PHA	Public Housing Authority
PMSA.	A Primary Metropolitan Statistical Area established by the U.S. Census Bureau
PS	Payment Standard
QHWRA	Quality Housing and Work Responsibility Act
QC	Quality Control
RLA or RFLA	Request for Lease Approval
RFP	Request for Proposal
RRP	Rental Rehabilitation Program

SEMAP	Section 8 Management Assessment Program
SRO	Single Room Occupancy
SSMA	Standard Statistical Metropolitan Area. Has been replaced by MSA, Metropolitan Statistical Area
TR	Tenant Rent
TTP	Total Tenant Payment
UA	Utility Allowance
UARP	Utility Allowance Reimbursement Payment
URP	Utility Reimbursement Payment

## DEFINITIONS

### Section 8 Program

#### Absorption

In portability, the point at which the receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA consolidated ACC.

#### Accessible

1. When used with respect to the design, construction, or alteration of a facility or a portion of a facility other than an individual dwelling unit, means that the facility or portion of the facility when designed, constructed or altered, can be approached, entered, and used by individuals with physical disabilities. The phrase "accessible to and usable by" is synonymous with accessible.
2. When used with respect to the design, construction, or alteration of an individual dwelling unit, means that the unit is located on an accessible route, and when designed, constructed, altered or adapted, can be approached, entered, and used by individuals with physical disabilities.

A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in 24 CFR, Part 8, Section 8.32, is "accessible" within the meaning of this paragraph 2.

When a unit in an existing facility which is being made accessible as a result of alterations is intended for use by a specific qualified individual with disabilities (e.g., a current occupant of such unit or of another unit under the control of the same recipient, or an applicant on a waiting list), the unit will be deemed accessible if it meets the requirements of applicable standards that address the particular disability or impairment of such person.

#### Accessible Route

A continuous unobstructed path connecting accessible elements and spaces in a building or facility that complies with the space and reach requirements of applicable standards prescribed by 24 CFR, Part 8, Section 8.32.

An accessible route that serves only accessible units occupied by persons with hearing or vision impairments need not comply with those requirements intended to effect accessibility for persons with mobility impairments.

#### Adaptability

The ability of certain elements of a dwelling unit, such as kitchen counters, sinks, and grab bars, to be added to, raised, lowered, or otherwise altered, to accommodate the needs of persons with

or without disabilities, or to accommodate the needs of persons with different types or degrees of disability.

For example, in a unit adaptable for a hearing-impaired person, the wiring for visible emergency alarms may be installed, but the alarms need not be installed until such time as the unit is made ready for occupancy by a hearing-impaired person.

Adjusted Income means Annual Income less the following allowances, determined in accordance with HUD instructions:

1. \$480 for each Dependent;
2. \$400 for any Elderly Family;
3. For any family that is not an Elderly Family or disabled family, but has a member other than the head of household or spouse, Disabled Assistance Expenses in excess of three percent (3%) of Annual Income, but this allowance may not exceed the employment income received by Family members who are 18 years of age or older, as a result of the assistance to the Disabled Person;
4. For any Elderly or Disabled Family;
  - a. That has no disability assistance expenses, an allowance for Medical Expenses, equal to the amount by which the Medical Expenses exceed three percent (3%) of Annual Income;
  - b. That has Disability Assistance Expenses greater than or equal to three percent (3%) of Annual Income, an allowance for Disability Assistance expenses computed in accordance with paragraph 3, above, plus an allowance for medical expenses, that is equal to the Family's Medical Expenses;
  - c. That has Disability Assistance Expenses that are less than three percent (3%) of Annual Income, an allowance for combined Disability Assistance Expenses and Medical Expenses, that is equal to the amount by which the sum of these expenses exceeds three percent (3%) of Annual Income, and
5.
  - a. Child Care Expenses; or
  - b. In the case of families assisted by Indian housing authorities, the greater of:
    - (1) Child care expenses, or
    - (2) Excessive travel expenses, not to exceed \$25 per family per week, for employment or education related travel.

#### Admission

The effective date of the first HAP contract for a family (first day of initial lease term) in a resident-based program. This is the point when the family becomes a participant in the program.

#### Annual Contributions Contract

A contract under the Housing Act of 1937, as amended, between HUD and the PHA, containing the terms and conditions under which the Department assists the PHA in providing decent, safe, and sanitary housing for low-income families.

The ACC must be in a form prescribed by HUD, under which HUD agrees to provide assistance in the development, modernization, and/or operation of a low-income housing development under the Act, and the PHA agrees to develop, modernize, and operate the development in compliance with all provisions of the ACC and the Act, and all HUD regulations and implementing requirements and procedures.

A written agreement between HUD and a PHA to provide annual contributions to the PHA to cover housing assistance payments and other expenses pursuant to the Act.

### Annual Income

1. Annual Income means all amounts, monetary or not, which:
  - a. Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
  - b. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
  - c. Which are not specifically excluded in this section.
  - d. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.
2. Annual Income includes, but is not limited to:
  - a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
  - b. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
  - c. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness and an allowance for depreciation of capital assets shall not be used as deductions in determining the net income. An allowance for depreciation is permitted only as authorized in the paragraph immediately above this paragraph. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Family has Net Family Assets in excess of \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets, or a percentage of the value of such Assets, based on the current passbook savings rate, as determined by HUD;
  - d. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided under Annual Income exclusions);



- e. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (but see the paragraph on lump sum additions to family assets, below).
  - f. Welfare Assistance. If the Welfare Assistance payment includes an amount specifically designated for shelter and utilities, and such amount is subject to adjustment by the Welfare Assistance agency in accordance with the actual cost of shelter and utilities, the amount of Welfare Assistance income to be included as income shall consist of:
    - (1) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities, plus
    - (2) The maximum amount that the Welfare Assistance Agency could in fact allow the family for shelter and utilities. If the family's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.
  - g. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling.
  - h. All regular pay, special pay and allowances of a member of the Armed Forces (but see paragraph below, on special pay to an Armed Forces person exposed to hostile fire).
3. Annual Income does not include the following (**Exclusions**):
- a. Income from the employment of children (including foster children) under the age of 18 years;
  - b. Payment received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the resident family, who are unable to live alone);
  - c. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and Workers' Compensation), capital gains and settlement for personal or property losses (but see the paragraph on payments in lieu of earnings, above).
  - d. Amounts received by the family, that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
  - e. Income of a Live-In Aide, as defined in the regulations, who is a person who resides with an Elderly, Disabled Person or Persons and who:
    - (1) Is determined to be essential to the care and well-being of the Person(s);
    - (2) Is not obligated for the support of the Person(s); and
    - (3) Would not be living in the unit except to provide the necessary supportive services.
  - f. The full amount of student financial assistance paid directly to the student or to the educational institution;
  - g. The special pay to a Family member serving in the Armed Forces who is exposed to hostile fire;
  - h. Amounts received under training programs funded by HUD;
  - i. Amounts received by a person with a disability, that are disregarded for a limited time, for purposes of Supplemental Security Income eligibility and benefits, because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS); or
  - j. Amounts received by a participant in other publicly assisted programs which are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special

- equipment, clothing, transportation, child care, etc.), and which are made solely to allow participation in a specific program;
- k. *A resident service stipend.* A resident service stipend is a modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for the PHA, on a part-time basis, that enhances the quality of life in public housing. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No Resident may receive more than one such stipend during the same period of time;
  - l. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;
  - m. Temporary, nonrecurring or sporadic income (including gifts);
  - n. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
  - o. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
  - p. Adoption assistance payments in excess of \$480 per adopted child;
  - q. Deferred periodic payments of supplemental security income and social security benefits that are received in a lump sum payment, or in prospective monthly amounts;
  - r. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
  - s. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
  - t. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937, including the following:
    - (1) The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977. [7 United States Code (USC) § 2017 (b)];
    - (2) Payment to volunteers under the Domestic Volunteer Service Act of 1973. [42 USC § 5044(g), § 5058];
    - (3) Payments received under the Alaska Native Claims Settlement Act. [43 USC § 1626(c)];
    - (4) Income derived from certain sub-marginal land of the United States, that is held in trust for certain Indian tribes. [25 USC § 459(e)];
    - (5) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program. [42 USC § 8624(f)];
    - (6) Payments received under programs funded in whole or in part under the Job Training Partnerships Act. [29 USC § 1552(b)];
    - (7) Income derived from the disposition of funds of the Grand River Band of Ottawa Indians. [Public Law (P.L.) 94-540, 90 Stat. 2503-2504];

- (8) The first \$2,000 of per capita shares received from judgement funds awarded by the Indian Claims Commission or the Court of Claims [25 USC § 1407-1408), or from funds held in trust for an Indian tribe by the Secretary of the Interior. [25 USC § 117b, 1407];
  - (9) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs [20 USC § 1087uu]. Since Pell Grants are funded under Title IV, PHAs should exclude the FULL value of any Pell Grant. These changes are effective 10-1-92;
  - (10) Payments received from programs funded under Title V of the Older Americans Act of 1965. [42 USC § 3056(f)];
  - (11) Payments received on and after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the “In Re Agent Orange product” liability litigation. [M.D.L. No. 381 (E.D.N.Y.)];
  - (12) Payments received under the Maine Indian Claims Settlement Act of 1980. [P.L. 96-420, 94 Stat. 1785];
  - (13) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 [42 USC § 9858q]. This change was effective November 4, 1992;
  - (14) Earned Income Tax Credit (EITC) refund payments received after January 1, 1991. [USC § 32(j)];
  - (15) Deferred Periodic Payments of Social Security and Supplemental Security Income (SSI) received after October 28, 1992. This lump sum payment may represent the accumulation of periodic payments from a preceding period. Collections activity on deferred periodic payments regardless of when they were received. See Notice PIH 93-11 issued March 16, 1993;
  - (16) Holocaust reparations received after April 23, 1993. [42 USC § 1437a, § 1437d, § 1437n and § 3535(d)].
4. If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for a shorter period may be annualized, subject to a redetermination at the end of the shorter period.

#### Applicable Surface

All intact and non intact interior and exterior painted surfaces of a residential structure (with reference to lead-based paint poisoning prevention).

#### Applicant

Applicant (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

#### Assisted Lease

A written agreement between an owner/landlord and a Family for the leasing of a dwelling unit by the owner/landlord to the Family under a Housing Assistance Contract between the owner/landlord and the PHA.

In the case of cooperative or mutual housing, "lease" means the occupancy agreement or other written agreement establishing the conditions for occupancy of the unit.

#### Auxiliary Aids

Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities receiving Federal financial assistance.

For example, auxiliary aids for persons with impaired vision may include readers, Brailled materials, audio recordings, and other similar services and devices.

Auxiliary aids for persons with impaired hearing may include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, note-takers, written materials, and other similar services and devices.

#### Certificate or Certificate of Family Participation

A document issued by an PHA to a family selected for admission to the rental certificate program. The certificate describes the program, and the procedures for PHA approval of a unit selected by the family. The certificate also describes the obligations of the family under the program. Also referred to as Pre-Merger Certificates.

#### Certificate or Voucher Holder

A family holding a Voucher or Certificate with unexpired search time.

#### Child

A member of the family, other than the family head or spouse, who is under 18 years of age.

For continued assistance under Restrictions on Assistance to Non-citizen only: Biological or adopted children only. Stepchildren (not related to either the head of the household or the spouse) and guardianship of minors (either formal or informal) are excluded.

#### Child Care Expenses

Amounts anticipated being paid by the Family for the care of children under thirteen (13) years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to be gainfully employed, or to further his or her education, and only to the extent such amounts are not reimbursed.

The amount deducted shall reflect reasonable charges for child care, and in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income.

Reasonable child care expenses, as defined by the PHA, shall not exceed the actual costs incurred.

#### Citizen

A citizen (by birth or naturalization) or national of the United States.

#### Codes

Includes building codes, housing codes, health and safety codes, sanitation codes and any law, ordinance or governmental regulation concerning fitness for habitation, or the construction, maintenance, operation, occupancy or use of a dwelling unit.

#### Common Space

Space available for use by assisted families and other occupants of the unit.

#### Consolidated ACC

Consolidated annual contributions contract. See § 982.151.

#### Contiguous MSA

In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.

#### Continued Assistance Family

This is a mixed family who meets all the following requirements:

1. The family was receiving assistance under a Section 214 covered program on June 19, 1995, and
2. whose head of the household or spouse has eligible immigration status according to the requirements of the restrictions on assistance to non-citizen, and
3. the family does not include any person (who does not have eligible immigration status) other than:
  - C The head of the household;
  - C Any spouse of the head of the household;
  - C Any parents of the head of the household;
  - C Any parents of the spouse;
  - C Any children of the head of the household or spouse.

This does not define “family” for purposes of eligibility at the PHA (see “Family” in this Definition section.)

A family entitled to continued assistance before November 29, 1996 is entitled to continued assistance as described in the above paragraph. A family entitled to continued assistance after November 29, 1996 shall receive prorated assistance as described in section 5.520.

#### Continuously Assisted

An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the certificate or voucher program.

#### Contract Rent

The total amount of rent specified in the Housing Assistance Payments (HAP) Contract as payable to the owner/landlord by the Family, and by HUD or the PHA on the Family's behalf.

The monthly rent which an owner/landlord is entitled to receive for the leasing of a Manufactured Home Space to an Assisted Family, including any separate fees or charges. This rent includes the maintenance and management services described in the definition of Manufactured Home Space, but excludes ongoing utility charges. Separate fees or charges for services or facilities not included in the definition of Manufactured Home Space shall be included in the Contract Rent only if their payment is required as a condition of the leasing of the Manufactured Home Space. In the case of a cooperative Manufactured Home park, "Contract Rent" means the charges under the occupancy agreements between the members and the cooperative.

#### Contract of Participation

A contract in a form approved by HUD, entered into between a participating family and a PHA operating an FSS program that sets forth the terms and conditions governing participation in the FSS program. The contract of participation includes all individual training and services plans entered into between the PHA and all members of the family who elect to participate in the FSS program, and which plans are attached to the contract of participation as exhibits.

#### Controlled Substance

Any drug or other substance, or immediate precursor included in the definition in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

#### Decent, Safe and Sanitary Housing

Housing is decent, safe and sanitary if the requirements of 982.401 are met (Housing Quality Standards).

#### Defective Paint Surface

Paint on applicable surfaces that is cracking, scaling, chipping, peeling or loose (with reference to lead-based paint poisoning prevention).

### Dependent

A member of the Family household (except foster children and foster adults) other than the Family head or spouse, who is under 18 years of age or is a person with a disability, or is a full-time student.

### Deposit

Means an amount of currency, or an instrument delivered to the owner/landlord by the resident as a pledge to abide by terms or conditions of the rental agreement.

### Dilapidated Housing

See the definitions of Substandard Housing.

### Disability Assistance Expenses

Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

### Disabled Person or Family

A person or family whose head, spouse, or sole member is a person with disabilities; or two (2) or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. A person who is under a disability, as defined in Section 233 of the Social Security Act (42 U.S.C. 423), or who has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001 (7)).

Section 223 of the Social Security Act defines disability as:

1. Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death, or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
2. In the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in the Social Security Act), inability by reason of such blindness to engage in substantial gainful activity in which he/she has previously engaged with some regularity and over a period of time.

People who have been diagnosed with alcoholism or drug abuse are not part of the definition of "disabled".

### Discriminatory Housing Practice

An act that is unlawful under Section 804, 805, 806, or 818 of the Fair Housing Act.

#### Displaced Person or Family

A person or family in which each member, or whose sole member, is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. (See also the definition of Involuntary Displacement. See 24 CFR, Part Subpart A, Section 5.420.)

#### Domicile

The legal residence of the household head or spouse as determined in accordance with State and local law.

#### Drug-Related Criminal Activity

1. Drug-trafficking; or
2. Illegal use, or possession for personal use of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802). The illegal manufacture, sale or distribution, or the possession with intent to manufacture, sell or distribute, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

#### Drug-Trafficking

The illegal manufacture, sale or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

#### Dwelling

Any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

#### Dwelling Unit

A single unit of residence for a family of one or more persons. Examples of dwelling units include: a single family home; an apartment unit within an apartment building; and in other types of dwellings in which sleeping accommodations are provided, but toileting or cooking facilities are shared by occupants of more than one room or portion of the dwelling, rooms in which people sleep. Examples of the latter include dormitory rooms and sleeping accommodations in shelters intended for occupancy as a residence for homeless persons.

#### Earned Income



Earned income means income or earnings included in annual income from wages, tips, salaries, other employee compensation, and self-employment (see 24 CFR 5.609). Earned income does not include any pension or annuity, transfer payments, any cash or in-kind benefits, or funds deposited in or accrued interest on the FSS escrow account established by a PHA on behalf of a participating family.

#### Effective Date of Contract

Effective date of contract of participation means the first day of the month following the month in which the FSS family and the PHA entered into the contract of participation.

#### Elderly Person

A person who is at least 62 years of age. Allowance for medical expenses may be allowed for persons who are elderly but not disabled.

#### Elderly Household

A household whose head and/or spouse is considered elderly by definition. Allowance for medical expenses may be allowed for all persons who reside in the household.

#### Elevated Blood Lead Level

Excessive absorption of lead, that is, a confirmed concentration of lead in whole blood of 25 ug/dl (micrograms of lead per deciliter of whole blood) or greater.

#### Employer Identification Number

The taxpayer identifying number of an individual, trust, estate, partnership, association, company, or corporation that is assigned pursuant to Section 6011(b) of the Internal Revenue Code of 1986, or corresponding provisions of prior law, or pursuant to Section 6109 of the Code. The Employer Identification Number has nine digits separated by a hyphen, as follows: 00-0000000.

#### Enrollment

Enrollment means the date that the FSS family entered into the contract of participation with the PHA.

#### Entrance

Any access point to a building or portion of a building used by residents for the purpose of entering.

#### Eviction

Means any action initiated by the owner/landlord to regain possession of a dwelling unit and use of the premises.

#### Evidence of citizenship of eligible immigration status

The documents which must be submitted to evidence citizenship or eligible immigration status.

#### Exception Rent

In the Pre-Merger Certificate program, an initial rent (contract rent plus any utility allowance) in excess of the published FMR only to make a reasonable accommodation for a family with disabilities on a unit by unit basis. Housing agencies may request approval from HUD for an exception rent for a geographical area.

#### Exterior

All areas of the premises outside of an individual dwelling unit.

#### Extremely Low-Income Families

Families with incomes below thirty percent (30%) of the area median and households of various races and ethnic groups--within the Quality Housing Work Responsibility Act (QHWRA).

#### Facility

All or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other real or personal property or interest in the property.

#### Fair Housing Act

Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3600-3620).

#### Fair Market Rent

The rent, including utilities (except telephone), and all maintenance, management, and other services, which would be required to be paid in order to obtain privately owned, existing, decent, safe, and affordable rental housing of modest (non luxury) nature with suitable amenities in the market area.

Fair Market Rents are used by PHAs in the Housing Voucher Program to develop the payment standard used to determine the appropriate amounts of housing assistance to be paid on behalf of participating families.

The rent which would be required to be paid in order to obtain a privately owned, decent, safe and affordable Manufactured Home Space of a modest nature. This rent includes maintenance and

management services described in the definition of Manufactured Home Space for single-wide and double-wide Manufactured Home Spaces. Rents for double-wide spaces will be permitted for Assisted Families of five (5) or more persons so long as the Manufactured Home meets the minimum occupancy standards for families. Fair Market Rents will be established by HUD and will be published in the Federal Register.

#### Familial Status

One or more individuals (who have not attained the age of 18 years) being domiciled with:

1. A parent or another person having legal custody of such individual or individuals; or
2. The designee of such parent or other person having such custody, with the written permission of such parent or other person.

The projections afforded against discrimination on the basis of familial status apply to any person who is pregnant, or is in the process of securing legal custody of any individual who has not attained the age of the eighteen (18) years.

#### Family

"Family" includes, but is not limited to:

1. Two (2) or more persons who intend to share a residency whose income and resources are available to meet the family's needs and who have a history as a family unit or have evidence of a stable relationship for at least one year if not legally married. Evidence of a "stable relationship" may include any of the following: birth certificate of the children, joint tax returns, prior lease, joint bank accounts, insurance policies, informal marriage certificates or equivalent documentation.
2. A group of persons living together, related by blood, marriage or operation of law;
3. A common-law husband or wife, as recognized under State law;
4. A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members;
5. An elderly person;
6. A disabled person;
7. A displaced person;
8. The remaining member of a resident family; and
9. A single person who is not an elderly or displaced person or a person with disabilities, or the remaining member of a resident family.

#### Family Income

Means Monthly Income as defined in HUD regulations, i.e., using Annual Income divided by 12.

#### Family Self-Sufficiency

Family Self-Sufficiency program or FSS program means the program established by a PHA within its jurisdiction to promote self-sufficiency among participating families, including the provision of supportive services to these families, as authorized by Section 23 of the U.S. Housing Act of 1937.

#### Family Share

In the voucher program, the portion of the rent to owner paid by the family. It is calculated by subtracting the amount of the housing assistance payment to the owner from the rent to owner. Same as Tenant Rent.

#### Family Unit Size

The appropriate number of bedrooms for a family. Family unit size is determined by the PHA under the PHA subsidy standards.

#### Former Federal Preferences (24 CFR Sec. 982.207)

The PHA may implement the following former federal preferences as Local Preferences:

- b. working families (head or spouse);
- c. families for person with a disability;
- d. victims of domestic violence;
- e. single persons who are elderly, displaced, homeless or a person with disabilities; and
- f. provide the same benefit to families whose head **and** spouse, is either 62 or older or a person with disabilities (if the PHA adopts local preference for working families).

#### FSS Account

FSS account means the FSS escrow account authorized by Section 23 of the U.S. Housing Act of 1937, and as provided by § 984.305 of this part.

#### FSS Credit

FSS credit means the amount credited by the PHA to the participating family's FSS account.

#### FSS Family

FSS family or participating family means a family that receives assistance under the rental certificate or rental voucher programs, and that elects to participate in the FSS program, and whose designated head of the family has signed the contract of participation.

#### FSS Related Service Program

Means any program, publicly or privately sponsored, that offers the kinds of supportive services described in the definition of “supportive services” set forth in 24 CFR § 984.

#### FSS Slots

FSS slots refer to the total number of rental certificates or rental vouchers that comprise the minimum size of a PHA's Section 8 FSS program.

#### First Occupancy

A building that has never before been used for any purpose.

#### FMR

Fair Market Rent. Defined in 24 CFR 982.4.

#### Full-Time Student

A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

#### Good Faith

Means honesty in fact, in the conduct of the transaction concerned, as evidenced by all surrounding circumstances.

#### Gross Rent

The total monthly cost of housing an eligible Family, which is the sum of the Contract Rent and any Utility Allowance. In the case of rental of only a manufactured home space, Gross Rent also includes the Family's monthly payment to amortize the purchase price of the manufactured home.

#### Ground Floor

A floor of a building with a building entrance on an accessible route. A building may have more than one ground floor.

#### HA

A housing authority--both a public housing agency and an Indian housing authority.

#### Handicap/Disability

With respect to a person, a physical or mental impairment which substantially limits one or more of such person's major life activities; a record of having such an impairment, or being regarded as having such an impairment.

This term does not include current, illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802)).

For the purpose of 24 CFR Part 100, Discriminatory Conduct Under the Fair Housing Act, an individual shall not be considered to have a disability solely because that individual is a transvestite (a person, especially a male, who dresses in the clothing of the opposite sex for psychological reasons).

#### Handicapped/Disabled Assistance Expenses

Reasonable expenses that are anticipated, during the period for which Annual Income is computed, for attendant care and auxiliary apparatus for a Disabled Family member, and that are necessary to enable a Family member (including the Disabled member) to be employed, provided that the expenses are neither paid to a member of the Family nor reimbursed by an outside source.

#### Handicapped/Disabled Person (included under “Disabled”)

A person having a physical or mental impairment that:

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes the person's ability to live independently; and
3. Is of such a nature that such ability could be improved by more suitable housing conditions.

#### Has a Record of Such an Impairment

As used in the definition of Disability, means has a history of, or has been mis-classified as having, a mental or physical impairment that substantially limits one or more major life activities.

#### Head of Household

The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

#### Home-visit (telephone interview)

When applicants/participants are unable to physically come into the PHA's office due age or medical condition, a home-visit (telephone interview) can be done to gather the needed to either complete an application for housing or for annual re-certification. Verifications needing signatures can be either mailed to the individual or other arrangements can be made at PHA's discretion.

#### Housing Agency (PHA)

Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in, or to assist in the development or operation of low-income housing. For the purposes of 24 CFR, Part 942, Resident Participation and Management in Public Housing, the term Public Housing Agency does not include Indian Housing Authorities. As used in 24 CFR, Part 965, Subpart E, Resident Allowance for Utilities, PHA includes an Indian Housing Authority.

#### Housing Assistance Payment

The monthly assistance payment by an PHA. The total assistance payment consists of:

1. A payment to the owner/landlord for rent to owner/landlord under the family's lease.
2. An additional payment to the family if the total assistance payment exceeds the rent to owner/landlord. In the certificate program, the additional payment is called a "utility reimbursement".

#### Housing Assistance Payments Contract

A written contract between the PHA and an owner/landlord in the form prescribed by HUD headquarters, for the purpose of providing housing assistance payments to the owner/landlord on behalf of an Eligible Family.

#### Housing Quality Standards

The HUD minimum quality standards for housing assisted under the resident-based programs.

#### Housing Choice Voucher Program

The statutory merger of the Section 8 tenant-based certificate and voucher programs into the new Housing Choice Voucher program and makes other amendments to other provisions of the interim rule published on May 14, 1999.

#### Housing Voucher Contract

A written contract between a PHA and an owner/landlord, in the form prescribed by HUD for the Housing Voucher Program, in which the PHA agrees to make housing assistance payments to the owner/landlord on behalf of an Eligible Family.

#### Housing Voucher Holder

A family that has an unexpired housing voucher.

#### HUD

The Department of Housing and Urban Development or its designated officer or employee.

### HUD Local Office

Any HUD Office which has been delegated authority under the U.S. Housing Act of 1937 to perform functions pertaining to the area in which the PHA is located.

### Income Limits

HUD establishes Very Low-Income and Low-Income limits that are used to determine if assisted housing program applicants qualify for admission to HUD-assisted programs. These income limits are based on HUD estimates for area median family income (using Metropolitan Statistical Areas or Primary Metropolitan Statistical Areas as defined by the Office of Management and Budget (OMB), and the Bureau of the Census definition of family) with specific statutorily permissible adjustments. If the income limits based on this approach would be less than if based on the relevant State non-metropolitan median family income level, income limits are based on the State non-metropolitan family income level.

### Independent Group Residence

1. A dwelling unit for the exclusive residential use of two to twelve elderly or disabled individuals (excluding live-in Resident Assistant(s) if any), who are not capable of living independently, and who require a planned program of continual supportive services.
2. Individuals residing in an Independent Group Residence and receiving Section 8 assistance shall not require continual medical or nursing care, and shall be ambulatory or not require continual medical or nursing care, and shall be ambulatory or not confined to a bed continuously, and must be capable of taking appropriate actions for their own safety under emergency conditions.

### Individual Lease Shared Housing

The type of Shared Housing in which the PHA enters into a separate HAP Contract for each assisted Family residing in a Shared Housing unit.

### Individual Training Services Plan

Means a written plan that is prepared for the head of the FSS family, and each adult member of the FSS family who elects to participate in the FSS program, by the PHA in consultation with the family member, and which sets forth:

1. The supportive services to be provided to the family member;
2. The activities to be completed by that family member; and
3. The agreed upon completion dates for the services and activities. Each individual training and services plan must be signed by the PHA and the participating family member, and is attached to, and incorporated as part of the contract of participation. An individual training and services plan must be prepared for the head of the FSS family.

### Individual With Disability



A person having a physical or mental impairment that (a) is expected to be of long-continued and indefinite duration, (b) substantially impedes the person's ability to live independently, and (c) is of such a nature that such ability could be improved by more suitable housing conditions.

#### Initial Contract Rent

The contract rent at the beginning of the initial lease term.

#### Initial PHA

In portability, the term refers to both:

1. An PHA that originally selected a family that subsequently decides to move out of the jurisdiction of the selecting PHA.
2. An PHA that absorbed a family that subsequently decides to move out of the jurisdiction of the absorbing PHA.

#### Initial Lease Term

The initial term of the assisted lease. The initial lease term is at least one year. At the PHA's discretion, lease term may be shorter than 1 year.

#### INS

The U.S. Immigration and Naturalization Service.

#### Interior

The spaces, parts, components or elements of an individual dwelling unit.

#### Interim Reexaminations

Some Housing Authorities also call this "special" reexaminations. The family must comply with regulations requiring them to report changes in income and family composition. The PHA requires the reporting of the changes within 10 days of the effective change (or other date as established by the PHA). The Housing Authority must determine if there is to be an adjustment to the Total Tenant Payment, Tenant Rent, and/or Housing Assistance Payment.

#### Is Regarded as Having an Impairment

As used in the definition of Disability, means:

1. Has a physical or mental impairment that does not substantially limit one or more major life activities, but that is treated by another person as constituting such a limitation;
2. Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or
3. Has none of the impairments defined under the definition of "physical or mental impairment," below, but is treated by another person as having such an impairment.

### Jurisdiction

The area in which the PHA has authority under State and local law to administer the program.

### Lead-Based Paint

A paint surface, whether or not defective, identified as having a lead content greater than or equal to one microgram of lead per square centimeter (one centimeter is slightly more than three-eighths of an inch).

### Lease

1. A written agreement between an owner/landlord and a resident for the leasing of a dwelling unit to the resident. The lease established the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP Contract between the owner/landlord and the PHA.
2. In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement established the conditions for occupancy of the member's cooperative dwelling unit by the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the PHA.

### Lease Addendum

In the lease between the resident and the owner/landlord, the lease language required by HUD.

### Live-In Aide

A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

1. Is determined by the PHA to be essential to the care and well-being of the person or persons;
2. Is not obligated for support of the person or persons; and
3. Would not be living in the unit except to provide necessary supportive services. (See the definition of Annual Income for treatment of a Live-In Aid's income.)

### Local Preference

1. A preference used by the PHA to select among applicant families.
2. PHA can not deny or otherwise penalize a family solely because the family resides in public housing.

### Low-Income Family

A family whose Annual Income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding

that such variations are necessary because of the prevailing levels of construction costs or unusually high or low-income family.

### Major Life Activities

As used in the definition of Disability, means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

### Manufactured Home

A structure, with or without a permanent foundation, which is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HUD Housing Quality Standards set forth in 24 CFR, Part 8, Sections 882.109 and 887.473.

### Manufactured Home Space

The space, leased by an owner/landlord to an Assisted Family, on which the Manufactured Home owned and occupied by the Family is located. The space shall include all maintenance and management services necessary for decent, safe and sanitary housing, such as maintenance of utility lines, garbage and trash collection, and maintenance of roads, walkways and other common areas and facilities.

### Marriage

Marriage certified by a formal marriage license, or an informal marriage, as may be specified in State or local laws or regulations.

### Medical Expenses

Those medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. (Medical expenses are allowable only for Elderly or Disabled Families.)

### Minor

A person who is under the age of legal competence, unless otherwise determined by State Law.

### Mixed Family

A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

### Monthly Adjusted Income

One-twelfth of Adjusted Income.

### Monthly Income

One-twelfth of Annual Income.

### National

A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession, including Puerto Rico, the U.S. Virgin Islands, Guam, Canal Zone, etc.

### Net Family Assets

1. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD home-ownership programs.
2. The value of necessary items of personal property, such as furniture and automobiles, shall be excluded.
3. In cases where a trust fund has been established and the trust is not revocable by, or under the control of any member of the Family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.
4. In determining Net Family Assets, the Authority shall include the value of any assets disposed of by an applicant or resident for less than fair market value, including a disposition in trust, but not in a foreclosure or bankruptcy sale, during the two (2) years preceding the date of application for the program, or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or resident received important consideration not measurable in dollar terms.

### Non-citizen

A person who is neither a citizen nor a national of the United States.

### Normal Wear and Tear

Means deterioration which occurs, based upon the use for which the rental unit is intended, without negligence, carelessness, accident, abuse or intentional damage of the premises, equipment or chattels of the owner/landlord by the resident, members of the resident's household, or by his/her invitees or guests. However, uncleanness does not constitute normal wear and tear.

### Owner/Landlord

Any person or entity, including a cooperative, having the legal right to lease or sublease a unit to a participant.

### Participant

A family that has been admitted to the PHA program, and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term).

### Payment Standard

In the voucher program, an amount used by the PHA to calculate the housing assistance payment for a family. Each payment standard amount is based on the fair market rent. The PHA adopts a payment standard for each bedroom size and for each fair market rent area in the PHA jurisdiction. The payment standard for a family is maximum monthly subsidy payment.

### Person

Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries.

### PHA Jurisdiction

The area in which the PHA is not legally barred from entering into Housing Assistance Contracts.

### Physical or Mental Impairment

As used in the definition of Disability, includes:

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculo-skeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; Genitourinary; hemic and lymphatic; skin; and endocrine; or
2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.

### Portability

Renting a dwelling unit with Section 8 resident-based assistance outside the jurisdiction of the initial PHA.

### Preference Over Single Persons

An applicant that is a one- or two-persons elderly, disabled or displaced family, must be given a preference over an applicant that is a single person who is not an elderly, displaced person, or a person with disabilities.

### Premises

The building or complex in which the dwelling units is located, including common areas and grounds.

### Public Housing Agency (PHA)

Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in, or to assist in the development or operation of low-income housing.

### Public Use Areas

Interior or exterior rooms or spaces of a building that are made available to the general public. Public use may be provided at a building that is privately or publicly owned.

### Qualified Individual With Disabilities

1. With respect to employment, an individual with disabilities who, with reasonable accommodation, can perform the essential functions of the job in question; and
2. With respect to any non employment program or activity which requires a person to perform services or to achieve a level of accomplishment, an Individual With Disabilities who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the recipient can demonstrate would result in a fundamental alteration in its nature; or
3. With respect to any other non-employment program or activity, an Individual With Disabilities who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity.

Essential eligibility requirements include stated eligibility requirements, such as income, as well as other explicit or implicit requirements inherent in the nature of the program or activity, such as requirements that an occupant of multifamily housing be capable of meeting the recipient's selection criteria, and be capable of complying with all obligations of occupancy with or without supportive services provided by persons other than the recipient.

### Reasonable Accommodation

Means making alterations or adaption to provide access to otherwise qualified individuals with disabilities, in the use of the program and facilities, without causing undue hardship or substantially altering the program or activity.

### Reasonable Rent

A rent to owner/landlord that is not more than either:

1. Rent charged for comparable units in the private unassisted market; or
2. Rent charged by the owner/landlord for a comparable assisted or unassisted unit in the building or premises.

### Residency Preference 24 CFR Sec. 982.207

Eliminates the explicit requirement that PHA's seek HUD approval before establishing a residency preference (although the Section 8 Administrative plan is a supporting document to the annual PHA Plan). PHA's may adopt a residency preference if the preference does not delay or deny admission to the program based on race, color ethnic origin, gender, religion, disability or age. Residency area must not be smaller than a county or municipality.

### Receiving PHA

In portability, an PHA that receives a family selected for participation in the tenant-based program of another PHA. The receiving PHA issues a voucher, and provides program assistance to the family.

### Regular Reexaminations

The Housing Authority must reexamine the income and composition of all families at least once every twelve (12) months. The family is required to submit any certification, release, information or documentation that the Housing Authority or HUD has determined necessary.

The Housing Authority will adjust the Total Tenant Payment and Housing Assistance Payment to reflect the changes in income and family composition.

### Related Lease Shared Housing

The type of Shared Housing in which the PHA enters into a single HAP Contract for two assisted Families residing in a Shared Housing unit.

### Rent to Owner/landlord

The monthly rent payable to the owner/landlord under the lease. Rent to owner/landlord includes payment for any services, maintenance and utilities to be provided by the owner/landlord in accordance with the lease.

### Rental Voucher

A document issued by an PHA to a family selected for admission to the voucher program. The voucher describes the program, and the procedures for PHA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

### Resident

Means a person entitled, under a rental agreement, to occupy a dwelling unit in peaceful possession, to the exclusion of others, and includes the owner/landlord of a mobile home renting premises, other than a lot or parcel in a mobile home park, for use as a site for the location of the mobile home.

### Responsible Entity

The person or entity responsible for administering the restrictions on providing assistance to Non-citizens with ineligible immigration status:

1. For the Section 8 Rental Housing Voucher and the Section 8 Moderate Rehabilitation programs, the housing authority (PHA) administering the program under an ACC with HUD;
2. For all other Section 8 programs, the owner/landlord.

### Section 214

Section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a). Section 214 restricts HUD from making financial assistance available for non-citizen unless they meet one of the categories of eligible immigration status specified in Section 214. See also paragraph 1-2, Authority.

### Section 214 Covered Programs

Programs to which the restrictions imposed by Section 214 apply are programs that make available financial assistance pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437-1440), Section 235 or Section 236 of the National Housing Act (12 U.S.C. 1715z-1) and Section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s).

### Section 504

Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, as it applies to programs or activities receiving Federal financial assistance.

### Setup Charges

Charges payable by an Assisted Family for assembling, skirting and anchoring the mobile home unit.

### Sex-Offender

HUD determines a sex-offender to be someone who is required to be registered in a “State life-time sexual offender” registry.



### Single Family Residence

Means a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it is a single family residence if it has direct access to a street or thoroughfare and shares neither heating facilities, hot water equipment, nor any other essential facility or service with any other dwelling unit.

### Single Person

A person who lives alone, or intends to live alone, and who does not qualify as an Elderly Family, a Displaced Person, or the Remaining Member of a Resident Family.

### Single Room Occupancy Housing

A unit which contains no sanitary facilities or food preparation facilities, or which contains one but not both types of facilities (as those facilities are defined in 24 CFR 882.109(a) and (b) and which is suitable for occupancy by a single eligible individual capable of independent living. The unit is located within a multifamily structure consisting of more than 12 units.

### Social Security Number

The number that is assigned to a person by the Social Security Administration of the Department of Health and Human Services, and that identifies the record of the person's earnings that are reported to the Administration.

The Social Security Number has nine digits separated by hyphens, as follows: 000-00-0000. It does not include a number with a letter as a suffix that is used to identify an auxiliary beneficiary under the Social Security System.

### Special Admission

Admission of an applicant that is not on the PHA waiting list, or without considering the applicant's waiting list position.

### Special Reexaminations

See Interim Reexaminations.

### Spouse

Means the husband or wife of the head of the household.

Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common law marriage. It does not

cover boyfriends, girlfriends, significant others, or “co-head.” “Co-head” is a term recognized by some HUD programs, but not by public and Indian housing programs. This definition applies to Restrictions on Assistance to Non-citizen.

#### State

Any of the several States of the United States of America, the District of Columbia, the Commonwealth of Puerto Rico, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and Indian tribes.

#### Statement of Family Responsibility

An agreement, in the form prescribed by HUD, between the PHA and a Family to be assisted under the Program, stating the obligations and responsibilities of the two parties.

#### Subsidy Standards

Standards established by an PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions (see definition of “family unit size”).

#### Suspension

Stopping the clock on the term of a family’s voucher for such period as determined by the PHA, from the time when the family submits a request for PHA approval to lease a unit, until the time when the PHA approves or denies the request.

#### Temporary Deferral

Temporary deferral of termination of assistance is granted, the deferral period shall be for an initial period not to exceed six (6) months. The initial period may be renewed for additional periods of six (6) months, but the aggregate deferral period for deferrals provided after November 29, 1996 shall not exceed a period of eighteen (18) months. The aggregate deferral period for deferrals granted prior to November 29, 1996 shall not exceed three (3) years. These time periods do not apply to a family which includes a refugee under section 207 of the Immigration and Nationality Act or an individual seeking asylum under section 208 of that Act.

#### Tenant

The person or persons (other than a live-in aide) who executed the lease as lessee of the dwelling unit.

#### Tenant-Based

Rental assistance that is not attached to the structure.

#### Tenant Rent

In the voucher program, the portion of the rent to the owner paid by the family. It is calculated by subtracting the amount of the housing assistance payment to the owner from the rent to owner.

### Term

Means the period of occupancy specified in the rental agreement.

### Total Tenant Payment (check for validity)

Total Tenant Payment for families whose initial lease is effective on or after August 1, 1982:

Total tenant payment is the amount calculated under section 3(a)(1) of the 1937 Act (42 U.S.C. 1437a(a)(1)). Total Tenant Payment shall be the highest of the following, rounded to the nearest dollar:

1. 30 percent of Monthly Adjusted Income;
2. 10 percent of Monthly Income; or
3. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under paragraph (C) of section 3(a)(1) of the 1937 Act (42 U.S.C. 1437a(a)(1)(C)) shall be the amount resulting from one application of the percentage.
4. A minimum amount of tenant rent plus utility allowance was defined by the housing agency up to \$50.00

### Utility Allowance

If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the Contract Rent, but is the responsibility of the Family occupying the unit, an amount equal to the estimate made or approved by the PHA or HUD under applicable sections of HUD regulations of the monthly costs of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances, consistent with the requirements of a safe, sanitary, and healthful living environment.

### Utility Allowance Reimbursement Payment

See Utility Reimbursement

### Utility Hook Up Charges

Costs payable by an Assisted Family for connecting its Manufactured Home to utilities such as water, gas, electrical and sewer lines.

### Utility Reimbursement Payment

In the voucher program, the portion of the housing assistance payment that exceeds the amount of rent to the owner. May also be referred to as Utility Allowance Reimbursement Payment.

### Very Low-Income Family

1. A low-income family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.
2. HUD may establish income limits higher or lower than 50 percent of the median income for the area, on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

#### Veteran

1. Means any person honorably discharged from the Armed Forces of the United States, who serviced in World War I, between April 6, 1917, and November 11, 1918, both dates inclusive; or in World War II, on or after December 7, 1941, until final cessation of all hostilities; or in the Korean Conflict; Lebanon Crisis; Berlin Crisis; the Congo; the Dominican Republic, and Vietnam.
2. "Veteran" does not include a person enlisted and accepted for active training only for a period of six (6) months or less.

#### Violent Criminal Activity

Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

#### Voucher (rental voucher)

A document issued by an PHA to a family selected for admission to the voucher program. The voucher describes the program, and the procedures for PHA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

#### Waiting List Admission

An admission from the PHA waiting list.

#### Welfare Assistance

Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

#### Welfare-to-Work

Families assisted by a PHA with Voucher funding awarded to the PHA under the HUD welfare-to-work voucher program.

**SPECIAL INSTRUCTIONS  
For Policy Implementation**

**NOTICE**

**Although we have made our best effort to comply with regulations, laws, and Federal/local policies the Nelrod Company does not offer advice on legal matters or render legal opinions. We recommend that this policy be reviewed by the Housing Authority's general council and/or attorney prior to approval by the Board of Commissioners.**

**The Nelrod Company is not responsible for any changes made to these policies by any party other than the Nelrod Company.**